Tros Tyriusque mihi nullo discrimine agetur

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TAXATION PROBLEMS—I

TAX REDUCTION *VS.* TAX REFORM

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TAX reform does not mean merely a reduction in rates. It means revising the whole tax system in such a way that it will produce the revenue required for the Government's needs over a long period of years, without having a detrimental effect on the normal, healthy development of the country. Of course, tax reduction gives the opportunity for tax reform. But it is only by reducing rates scientifically and perhaps omitting altogether the imposition of some taxes, that we can achieve the end desired.

It must be remembered that our present tax system was largely evolved during the war, when the need for immediate revenue was of more importance than the manner of raising it. The excessive tax rates, which obtain at the present time and to which we have gradually become accustomed, were precipitated on the country by the war. They are war taxes and nothing else. It is true that, since the war, the rates have been reduced and the burden of taxation has been greatly lightened. But even today, seven years after the end of the war, the maximum normal and surtax is forty-six per cent., or over three times the maximum rate levied in 1916.

In addition to reducing rates, the Revenue Act of 1924 incor-

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porated in the tax system many desirable administrative and structural changes, such as the establishment of a Board of Tax Appeals. Some improvement may be expected from these changes. It will be possible to expedite the settlement of contested cases and thereby to relieve the taxpayer of the fear of unknown future assessments. But these changes, while excellent in themselves, do not go to the heart of tax reform. They fail entirely to take into account the defects of a system which seeks to build a fence around wealth in the form of high surtaxes and at the same time provides an easy means of escape through investment in tax-exempt securities.

Such a system has two thoroughly undesirable effects: it both encourages tax avoidance and discourages business enterprise. The system itself is still fundamentally the same as it was during the war; and the real question involved in tax reform is whether we wish deliberately to adopt as a permanent peace time policy a tax system built up hurriedly during the war to meet conditions which no longer exist.

In tax reform there are two main objectives: first, to make the income tax effective and thereby to insure its preservation as a permanent source of revenue for the Government; and second, to work out a basis of coöperation between the Federal Government and the various States, by which overlapping taxes shall be eliminated.

There is only one way to make the income tax effective. That is, by making tax avoidance unprofitable. We have a blind faith in this country in the miraculous power of legislative action. We pass an act in order to achieve certain desired ends and then shut our eyes to the fact that the law is being evaded on every side. Too much evasion will destroy respect for the law and in the end will bring it into contempt.

That is the situation which confronts us today with regard to the graduated income tax. We have a law which levies rates so high as to make tax avoidance worth while. At the same time, we provide legal means of escape by which the largest taxpayers can avoid all payment of taxes.

There are in this country today over $13,000,000,000 of tax-exempt securities, issued by States, counties and municipalities,

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and this amount is steadily increasing each year. It is only necessary for the rich man to invest in these securities and he need pay no income tax at all. Wealth is more and more tending to do this, and to leave the tax burden to be borne by the smaller taxpayer and by the man engaged in active business, whose capital cannot be transferred to tax-exempt investments.

The strange anomaly is that the very persons who champion high surtaxes as a means of taxing the rich are most insistent upon holding open the door of escape provided by tax-exempt securities. It is all done in the belief that some right—or advantage—of the States is involved. Tax-exempt securities represent largely public improvements; and public improvements, of course, are vitally necessary, particularly in the South and West, where increase in land values follows in the wake of better roads and schoolhouses. But public improvements do not necessarily depend upon the tax-exempt feature. Before the imposition of high surtaxes, sound State and municipal bonds were readily absorbed in the immediate locality and by insurance companies, trust funds and other conservative investors, who no longer cared to take the risk involved in business enterprise. These bonds would continue to find a wide market among such investors, regardless of the tax-exempt feature.

Men in active business, before the days of high surtaxes, did not seek this form of investment; and it is their present tendency to do so which is giving cause for concern. It is far more necessary that capital should seek business investments and build up mills, railroads and other productive enterprises, rather than lie inactive in municipal and county bonds. At the present time, however, on account of the combination of high surtaxes and tax-exempt securities, capital is more and more tending to leave business and go into less productive forms of investment.

There are only two remedies for this situation. The first is to pass a Constitutional Amendment prohibiting future issues of tax-exempt securities. Secretary Mellon and the Treasury have frequently recommended the passage of such an amendment; and, as Mr. Mellon remarked in one of his recent speeches, "this is the strongest possible test of whether it is really desired to make wealth bear its share of the tax burden. All that is necessary is to

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close the door and thereby cut off this inviting avenue of escape from taxes."

The States would give up no material right in supporting a Constitutional Amendment such as was passed by the House of Representatives a year ago, giving reciprocal authority to both State and Federal Governments to tax future issues of securities by either Government. It is in the power of the Federal Government now to issue its own bonds free of Federal taxation and thus largely destroy the artificial value attaching to State and municipal securities on account of their exemption from Federal taxes.

But there is no immediate prospect of a Constitutional Amendment being passed; and even if such an amendment were passed it could not affect the billions of dollars of securities already issued. Under these circumstances there is obviously only one course to pursue—that is to reduce surtaxes to a point where capital will find it worth while to remain in active business and pay the tax rather than go into tax-exempt bonds.

Taking up the question of rates: it may seem paradoxical, but it can be mathematically demonstrated, as the Government has found to its sorrow, that excessively high rates produce less revenue than lower ones. In taxes, just as in selling, there is a point of maximum return. If the selling price is too high, fewer articles are sold; if it is too low, sales increase but profits diminish. As everyone knows, the number of sales increases every time the price of the article is reduced, which is, of course, easy enough to understand. But there is a point on the lower side of the profit belt, beyond which prices cannot be reduced without too great a loss of revenue; and so it is with taxes. We cannot levy rates below the point which will produce revenue sufficient to run the Government.

What has been the Government's experience in fixing rates? In 1916, under a maximum surtax of thirteen per cent., the total amount of incomes of $300,000 or over reported for taxation was $992,000,000, and the Government collected $81,000,000 in surtaxes. In 1921, under a maximum surtax of sixty-five per cent., the total amount of income of this class fell to $153,000,000 and the Government collected $84,000,000 in surtaxes. In 1922, the surtax was reduced from sixty-five per cent. to fifty per cent., and

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what happened? The amount of income reported for taxation by the largest taxpayers rose to $365,000,000 as compared with $153,000,000 the previous year, and the Government collected in surtaxes $111,000,000 under the lower rates as compared with $84,000,000 under the higher rates. In 1923, the amount of income reported for taxation by the highest brackets increased to $371,000,000 and the amount of tax collected was $93,000,000. This tax was realized after allowing the retroactive reduction of twenty-five per cent. authorized in the Revenue Act of 1924. Without such reduction there would have been collected taxes amounting to $124,000,000.

Under the Act of 1924 the maximum surtax has been reduced to forty per cent.; and, while the reductions granted are not enough to bring wealth as a whole back under taxation, it may be expected that there will be a still further increase in revenue from the higher brackets. Figures such as the above are convincing evidence that in taxation it is not always the highest rates which bring in the greatest revenue.

What is the situation as regards the rates now in effect? Under the present law, the possessors of the largest incomes are taxed as much as forty-six per cent. on the higher brackets. It is true that not a very great number are actually paying so much. But at least the law imposes a total maximum tax of forty-six per cent. To the average man that seems fair enough. He reasons that a man with an income of $400,000 or $500,000 a year can afford to pay nearly half of it as taxes and still eke out not too miserable an existence. But regardless of whether the theory is right or wrong, it works out in practice so that the Government fails to get its share of the income. In order to avoid taxes which he considers excessive, the man of large wealth is investing more and more in tax-exempt securities and taking advantage of the other means of avoidance made possible under the law. It is just as well to realize that capital, no less than labor, cannot be forced to work unless it is profitable to do so; and under the present high surtaxes, capital frequently does not find it worth while to take a chance.

A man of large income has the choice of investing in a taxable or a tax-exempt bond. If he is subject to the highest surtax, he

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finds that he must receive at least eight per cent. from the taxable investment to equal the net return of four and a half per cent. from a tax-exempt bond. There are no bonds of sound security paying eight per cent., and very few safe business investments which insure such a return on the capital invested. The consequence is that capital is attracted to the tax-exempt investment and many men of large income pay no taxes. If, however, the maximum normal and surtax were reduced to a total of twenty per cent., a taxable business security need yield only about five and a half per cent. to equal the net return of a four and a half per cent. municipal bond.

It is easy to see what would happen under such circumstances. Capital would find it more profitable to invest in business and pay a moderate tax than to go to the trouble, as at present, of avoiding taxes. This is the reason for advocating a reduction in the surtaxes; and there can be no sound and permanent reform of the tax system which ignores the necessity for such reduction.

The second objective in tax reform involves a revision of the death taxes. Both the Federal and the State Governments are attempting to exploit this field of taxation. Under our dual form of Government, there has grown up in this country a curiously complicated and haphazard system of taxes, with the result that double taxation obtains in the United States to a greater extent perhaps than anywhere else in the world.

The present situation is a striking example of the lengths to which competing jurisdictions will go in the effort to extract the last dollar from resident and non-resident taxpayers in the form of death taxes. No attempt is made at reciprocity between the States, nor is any effort made to levy taxes according to some uniform principle. On the contrary, many States use both the *situs* of the property and the domicile of the decedent as the basis of liability to taxation. The result is that estates with widely scattered assets are frequently subjected to overlapping and confiscatory taxes, thus bringing about a depletion of capital which must ultimately have a serious effect on the country's development.

It is possible for estates, under some circumstances, to be taxed more than one hundred per cent. of their value. This, of course, does not often happen; but under our present laws it is entirely

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possible, and when it does happen, we have not taxation but confiscation. Such a situation, deplorable as it is, has grown up largely as a result of accident or legislative indifference, rather than deliberate intention to use taxation as a club to punish or discourage the accumulation of wealth. But it is well to remember that death taxes, after all, are merely a form of capital levy; and when they reach the point of confiscation, they have become a fine or penalty, not a tax. Regardless of the soundness of such taxes as levied in moderation by the States or by the Federal Government when necessity may require, it would seem unwise to defray the current expenses of the National Government out of excessive levies on capital when there is no pressing need for the revenue derived from such sources.

The inheritance tax is essentially one which should be levied by the States. The property taxed is located in the States, and its transfer to heirs at death is governed by State, not Federal, laws. The right of the Federal Government to impose estate taxes is based upon the theory of an excise tax—that is, a tax upon the passing or transfer of property. Congress has levied such taxes only four times in the country's history, and always for the purpose of providing revenue in periods of great emergency. Such taxes were levied immediately after the Revolutionary War, and during the Civil and Spanish wars, and they were always repealed when the particular emergency had passed.

The present estate tax was first levied in 1916, when a maximum rate of ten per cent. was imposed. Instead of later repealing the law, the tax was subsequently increased to twenty-five per cent., and in the Revenue Act of 1924 the maximum rate was raised from twenty-five per cent. to forty per cent. These rates, after allowing certain credits for State taxes, are imposed in addition to the inheritance taxes levied by nearly all the State Governments.

As a source of revenue, death taxes are not of very great importance to the Federal Treasury; and, under the high rates now imposed, they are becoming less and less productive of revenue. Under the twenty-five per cent. maximum rate, the revenue derived by the Federal Government has steadily dropped from $154,000,000 in 1921 to $103,000,000 in 1924. In the latter year

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the amount raised by death taxes was only two and a half per cent. of the total of $4,000,000,000 which the Federal Government received from all sources.

The States, on the other hand, when deprived of revenue which they might have obtained from this source, are forced to make up the loss by other taxes, particularly on farm lands. In many States, taxes are already so high as seriously to menace the prosperity of the farmer. The farmer nearly always pays a disproportionately large share of his earnings in taxes. He does not, as a rule, pay income taxes, so that this large part of his income which is absorbed by taxation represents almost wholly direct taxes on his property. If there is to be any decrease in the amount of revenue available to the State Governments from inheritance taxes as a result of the Federal law, it is obvious that the States must make up this loss by heavier taxes on tangible property. As a result, the taxes on farm lands will increase rather than diminish; and a still heavier burden will be placed on the shoulders of those least able to bear it.

State and local taxes are increasing at an alarming rate. They constitute by far the heaviest part of the tax burden which the American people are called upon to carry. In the decade from 1912 to 1922, the cost of State and local governments, as well as the expenditures of the Federal Government, mounted steadily; but the latter included the cost of financing our allies and carrying on the war, and since the war the National Government has made heroic and successful efforts at retrenchment. In 1920 the per capita Federal tax was $54; in 1923 this tax had been cut to $29; and in the current year to about $27. The per capita State and local tax, on the other hand, increased from about $31 in 1920 to about $41 in 1923, and the tendency is towards a further increase each year.

It is only fair, in any survey of our present burden of taxation, to apportion the responsibility where it properly belongs. It is State and local taxation which weighs most heavily on the average taxpayer, for out of a total population of 110,000,000 only about 4,260,000, or less than four per cent., pay any income tax direct to the Federal Government. A much larger proportion of the population, however, pays State and local taxes; and practically

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everyone is affected by the economic conditions produced by an unsound system of taxation.

It is for this reason that tax reform is a matter of such vital concern, not to the taxpayer alone or to the Government, but to the entire country. In so far as the taxpayer is concerned, a man with a wife and two children and an income of $5,000 is more interested in a continuance of prosperous conditions that make $5,000 jobs plentiful than he is in reducing his present tax of $25.50 to $20. Such a man, in the last analysis, has far more to lose than has his richer neighbor if, as a result of high surtaxes, capital is diverted from business and industry with the inevitable result of less trade and fewer jobs.

Is business expansion adversely affected by high surtaxes? Statistics would seem to indicate that it is. Certainly they prove beyond question that wealth is finding it advantageous to leave the field of taxable business and thus to escape its share of the tax burden. It is to correct this situation that the system must be reformed, and this is the only reason for advocating a reduction of the surtaxes. In the words of Professor Thomas S. Adams, of Yale, who is one of the foremost authorities on taxation in the country:

> The reason or justification for cutting the upper surtaxes is not to reduce the taxes of the few rich men who happen to be caught. The justification is to get a tax that can be enforced; to reduce the discrepancy between the taxation of corporations and the taxation of individuals; to give back to certain lines of business, whose normal supply of credit comes from wealthy individuals, their normal and natural investment market; and most of all, to give to the income tax at this critical period a task which it can creditably perform. . . . We debate and dispute about the *minutiæ* of rates, when the question is the honesty or integrity—and hence the real life—of the progressive income tax.

Here Professor Adams has touched upon a vital point. If we wish to preserve the income tax, we cannot ignore one of the fundamental principles of taxation, which is that excessive taxes are nearly always avoided and do not have even the merit of producing revenue for the Government. In one of the nation's early debates about taxation, it was pointed out by Alexander Hamilton in *The Federalist* that "the most productive system of finance will always be the least burdensome". He added the further

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comment that the man who understands the principles of political economy best "will be least likely to resort to oppressive expedients or to sacrifice any particular class of citizens to the procurement of revenue".

Taxpayers will always find ways to escape excessive taxes by investing in tax-exempt securities or by taking advantage of the other available means of tax avoidance. It may be a troublesome procedure to change the form of one's investments; but, if the rates are high enough, the taxpayer will find it worth while to go to that trouble, and eventually he will put himself in a position where he can laugh at the tax gatherer.

There is an old story of one of the tyrant kings of ancient Greece, who imposed a tax so heavy that his people groaned, but paid the tax. Finally he increased the tax to such unheard-of limits that a change came over his people's behavior. Instead of groans and curses, they went about the streets laughing at his tax—and, of course, not paying it. When the tyrant heard what they were doing, he ordered the tax reduced at once, for, he said, when they laugh at your tax it means that they have no intention of paying it. He found, just as we are finding today in the case of excessive surtaxes, that there is such a thing as encroaching too far on the limits of taxable capacity.

Taxable capacity, according to Sir Josiah Stamp, is measured by the difference between the nation's total quantity of production and its total quantity of consumption. It is the surplus or permanent increase in capital values. No government can afford to appropriate as taxes too large a part of this surplus without bringing about one of two equally undesirable results. Either the quantity of consumption must be cut down, which means a lowering of the standard of living and a consequent slackening of effort on the part of the citizen who sees so large a part of his earnings absorbed in taxes; or else a smaller amount of capital accumulation is available for business expansions and new undertakings, resulting in a slowing up of progress and prosperity and eventually a reduction in revenue available for taxation. On either hand disaster lies. We must be careful, therefore, in fixing rates, that we do not press too far on the limits of taxable capacity.

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We have found that we can collect a moderate tax. But when we try to impose too high a rate—and especially when at the same time we offer legal means of avoidance—wealth escapes and eventually the Government will have to fall back on levying higher taxes on the smaller incomes and on the man in active business in order to raise the required revenue. From the standpoint of Government income, better results can be obtained from moderate rates than from excessive ones. Certainly as regards the interests of the taxpayers themselves, it is vitally important to have a taxing system which produces revenue without affecting adversely the growth and development of the country on whose prosperity we must all, as individuals, depend.

Taxation is, after all, largely a business problem. In tax revision, the controlling elements should always be fiscal and economic, not political. For this reason, we should approach the subject only from an economic or business viewpoint; and, so far as the Treasury is concerned, it has viewed it only from this angle. Secretary Mellon has frequently pointed out that, in urging a reduction of the surtaxes, he has continued the policy which the Treasury has consistently advocated under a Democratic as well as under a Republican Administration; and both Democrats and Republicans have expressed views which prove that, as between the two major parties, there is no cleavage in the philosophy of taxation in so far as income or surtaxes are concerned.

Taxation is neither a partisan nor a sectional question. It is, on the other hand, a matter which vitally affects the welfare of everyone in every part of the country; and if the nation as a whole will get behind the movement for tax reform, it will prove, as we proved during the war, that America can always think and act as a unit when once she is convinced that the national interest is involved.

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TAXATION PROBLEMS—II

WHO SHOULD PAY THE TAXES?

BY DANIEL C. ROPER

Former Commissioner of Internal Revenue

INASMUCH as the Federal Estate Tax Law is yielding little more than $100,000,000 annually for the support of the Federal Government, it would seem that the call for its repeal would be confined to a few wealthy taxpayers. Upon several of such, it would make a costly exaction at death. While conceding this, it is strange that popular agitation should take the form of a vigorous opposition to the Estate Tax Law out of proportion to the demand for reduction in the Income Tax Law which is yielding nearly $2,000,000,000 per annum and is of vital interest to every citizen whose income exceeds $2,000 a year.

Public comments on recent court decisions in general indicate a surprising misunderstanding of the present Federal Estate Tax Law as to the fundamental purpose of its passage and its retention in our taxing system. It is generally alleged that this method of assessing and collecting revenue is ephemeral, that it was invoked as a mere temporary expediency for war purposes and that Congress never intended that it should remain upon the statute books as a continuing method of raising revenue. There is no foundation for this allegation. The contrary is the truth.

The amount which the Federal estate tax yields in money is not large enough to make it of very great value as a temporary expedient in time of war.

At the time of the enactment of the September 8, 1916, statute, the modern Federal Estate Tax Law, the United States was not at war and in my opinion the several amended reënactments of that law have never been regarded by Congress as essentially emergency tax measures. On the contrary, it has been found highly necessary to discover methods of acquiring permanent revenue which would not impose too great a burden upon any.

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For one thing, in 1919 there had to be found some method of taxation to fill the gap created by the passage of the Eighteenth Amendment and the anticipated loss in revenue from the tax upon alcoholic liquors. This fact was in the mind of Congress when it retained this inheritance tax upon the statute books.

Death duties in England have so long been an integral part of their tax system and have proven upon the whole so acceptable, as compared with the other forms of taxation, that no Englishman now questions the retention of them as a permanent part of the English system.

England now has three forms of death duties which are imposed on every estate within certain limitations. The first one, a legacy duty with its several amendments enacted originally as long ago as the time of George III; the second, a product of the early Victorian period, the Gladstone Act, as amended, imposed a graduated tax upon both real estate and personal property based upon consanguinity; and the third, enacted as a part of the Finance Act of 1894, a typical transfer or mutation duty, levied on the passing of an estate from the deceased to the beneficiaries. It is this latter law which has been largely copied in America by the Federal Government and by some of the States.

But revenue alone is not the sole reason for the enactment of the Federal death duty. There have been in this country for many years warm adherents to the belief that something must be done to discourage rapid growing fortunes, that some limit must be placed upon the possibility of a few individuals acquiring so much money that the Government itself is menaced by the power it brings them.

Furthermore, death duties go far toward creating an offset against non-taxable investments of the creators of such estates. They, therefore, seem to return to the Government only a deferred payment and to supply a part of that vital income required for its support. As a happy medium between confiscatory legislation on the one hand and the uninterrupted and unrestricted right to accumulate millions on the other, death duties constitute an ideal compromise.

There is no special importance in the rate, but it should not be too high. Personally, I believe that a maximum tax of 25 per

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cent. in the highest bracket is ample, but the last Congress in passing the Act of 1924 took the view that 40 per cent. was not unreasonable. Most of us are willing to defer to the wisdom of Congress in this matter since very few need have any anxiety about the tax in its maximum as applied to their own fortunes which must be transferred at the time of death.

Comments upon the late decisions of the Supreme Court in the Frick group and other cases would indicate that there is a prevailing idea that in these decisions our highest legal authority has in some way indicated a resentment against this form of taxation. Nothing could be further from the truth. The Supreme Court in none of its decisions since the passage of the Act of September 8, 1916, has dealt in any broad way with the fundamental theory of death duties except in the case of *New York Trust Company vs. Collector*, referred to below. In notable cases, the Supreme Court has made epoch-marking decisions as to this or that phase of the estate tax law, as to this or that detail of its administration.

In the case of *Schwab vs. Doyle*, 258 U. S., 522, and three kindred cases, it dealt with the retroactive features of the law with reference to transfers and other features when not clearly and expressly covered by the language of the Act.

In *Woodward's Executors vs. Collector*, 256 U. S., 632, the matter of deducting from income tax the amount paid for Federal estate tax was resolved in favor of the taxpayer.

In one of the Frick cases it dealt with the retroactive features of insurance contracts, and in the group of Frick cases under the Pennsylvania law it dealt with the right of States to measure excise tax by property not within its jurisdiction; but none of these cases made any reference to nor in any way indicated any criticism on the part of the members of the Supreme Court of the underlying principle of raising Federal revenue by death duties.

In that remarkable opinion which Chief Justice White handed down back in 1900, in the case of *Knowlton et al. vs. Collector*, 178 U. S., 41–110, upholding the constitutional right of the Government to raise revenue by death duties, a full exposition of the law in its constitutional aspects was expressed with that clarity of language for which the great Chief Justice was so supremely

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notable, and this decision is now the chief authority for the enactment of such a tax law. It has never been disturbed by any later decision. If I may be pardoned for quoting a short passage from his exhaustive opinion, which covered sixty pages and reviewed the history of death duties from ancient Egypt to the present day, I submit this extract:

> The review which we have made exhibits the fact that taxes imposed with reference to the ability of the person upon whom the burden is placed to bear the same have been levied from the foundation of the Government. So, also, some authoritative thinkers, and a number of economic writers, contend that a progressive tax is more just and equal than a proportional one. In the absence of constitutional limitation, the question whether it is or is not is legislative, and not judicial. The grave consequences which it is asserted must arise in the future if the right to levy a progressive tax be recognized involves in its ultimate aspect the mere assertion that free and representative government is a failure, and that the grossest abuses of power are foreshadowed unless the courts usurp a purely legislative function. If a case should ever arise, where an arbitrary and confiscatory exaction is imposed bearing the guise of a progressive or any other form of tax, it will be time enough to consider whether the judicial power can afford a remedy by applying inherent and fundamental principles for the protection of the individual, even though there be no express authority in the Constitution to do so. That the law which we have construed affords no ground for the contention that the tax imposed is arbitrary and confiscatory is obvious.

The Chief Justice, it seems to me, spoke here with the voice of Marshall, and his ringing assurance that the Supreme Court would not hesitate to deal with arbitrary or confiscatory laws if and when they might arise, carries confidence and the conviction to all who lend an ear to his words, that our rights are safe in the hands of our Supreme Court.

The New York Trust Company and Pross, Executors vs. Collector, 256 U. S., 345, which upheld the constitutionality of the Federal Estate Tax Act, is interesting in this connection because Justice Holmes adopts the conclusions of the Chief Justice in the Knowlton case in the following language:

> *Knowlton & Moore*, 178 U. S., 41, dealt, it is true, with a legacy tax. But the tax was met with the same objection; that it usurped or interfered with the exercise of State powers, and the answer to the objection was based upon general considerations and treated the "power to transmit or the transmission or receipt of property by death" as all standing on the same footing.

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After the elaborate discussion that the subject received in that case we think it unnecessary to dwell upon matters that in principle were disposed of there. The same may be said of the argument that the tax is direct and therefore is void for want of apportionment. It is argued that when the tax is on the privilege of receiving, the tax is indirect because it may be avoided, whereas here the tax is inevitable and therefore direct. But that matter also is disposed of by *Knowlton vs. Moore*, not by an attempt to make some scientific distinction, which would be at least difficult, but on an interpretation of language by its traditional use—on the practical and historical ground that this kind of tax always has been regarded as the antithesis of a direct tax; "has ever been treated as a duty or excise, because of the particular occasion which gives rise to its levy". Upon this point a page of history is worth a volume of logic.

As a matter of fact, the several States in enacting inheritance tax laws may have placed undue burdens upon estates of decedents, and it is upon this weak aspect of the matter that the enemies of all death duties direct their attack. However, their criticisms are largely theoretical and while the States, with a few notable exceptions, tax their citizens by way of death duties, no estate has actually had to suffer the extreme oppression that those who discuss these laws find possible, if not imminent. The relatively small amounts collected by these taxing laws are themselves an answer to the charge that they are confiscatory.

There is another angle to the question of death duties that is interesting and not generally understood. Assume an estate of $10,000,000—dealing only in round numbers. Such an estate should yield an annual income, let us say, of $600,000, which is subjected to income tax annually of $200,000. At death the deceased person's estate of $10,000,000 becomes subject to a death duty under the Federal law of approximately $3,500,000. Upon a showing to the Commissioner of Internal Revenue that it would constitute an undue hardship to pay this sum at one time, an extension of time for payment of the tax can be secured, under the existing law, which would permit the payment over a three-year period of approximately $1,150,000 each year. The amount paid for estate tax is deductible from income tax for the year in which it is paid, so that for the three-year period over which the estate tax is being paid, all income taxes due from the estate are wiped out and the net revenue to the Government at the end of

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the term during which the estate tax is being paid is the difference between the total estate tax and the amount of income tax which would have been paid over the three-year period, reducing, in the supposition before us, the net tax paid by the estate by some $600,000. Thus, while the progressive brackets increase the tax, they also increase the deduction from income tax, thereby equalizing in a measure the net tax.

In this time when the untimely death of President Roosevelt has cooled partisan feeling and American citizenship is uniting in appreciation of that fine character for his many worthy attributes aside from mere politics, it is interesting to know what he thought about death duties. In his message of 1907, he recommended that—

> Government has the absolute right to decide as to the terms upon which a man shall receive a bequest or devise from another. A heavy progressive tax upon a very large fortune is in no way such a tax upon thrift and industry as a like tax would be on a small fortune. . . .
> . . . No advantage comes either to the country as a whole or to the individual inheriting the money by permitting the transmission in their entirety of the enormous fortune that would be affected by such a tax.

Thus, President Roosevelt as early as 1907 was sounding the call for the imposition of death duties, when our country was at peace and there was no acute necessity for revenue, merely as a measure of limitation to the accumulation of excessive fortunes, and it is this side of the question that must be earnestly considered, weighed and emphasized when the movement to abolish death duties reaches the Congress.

While I am not one of those predisposed to the thought that that type of citizen whose financial genius has made possible the accumulation of multiple millions normally will be found attempting to evade taxes levied by his government for its support, nevertheless, the business associates of such a man, who constitute themselves the "watch-dogs" of his bank account, are ever alert to save money for him and his estate.

If the Federal Government repeals its death duties, leaving the States to avail themselves of an opportunity to levy such duties untrammeled by the thought of duplicating those of the Federal Government, it is inevitable that the States will levy such taxes without uniformity and that some of the States, for example,

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Florida, which has forbidden death duties by amendment to its Constitution, will never exact such taxes. Then we would have a condition in which a wealthy citizen of Illinois, let us say, whose millions may have been acquired in international trade, by oil in Oklahoma, mines in Montana, or real estate in New York, could, by establishing a residence in Florida, cause his estate at his death to escape death duties almost entirely; while the citizen of smaller fortune, who could not change his residence at will, might find himself bound to a residence where death duties are onerous, with no escape from heavy taxes upon his fortune at his death.

Such a possible condition as this must have little appeal to the man with an ordinary competency or for the citizens of our country at large. It would seem to me that such a condition would be an invitation to the very wealthy to select a residence where the death duties would be minimized. Great wealth is seldom, if ever, local in its source and development, and if it is to be taxed by way of death duties, should it not be taxed for the benefit of the National Government?

It is not likely that a satisfactory agreement could be worked out between the State and Federal Governments that would permit the Federal Government exclusively to collect the inheritance taxes and return to the States an agreed proportion. Nor is it likely that the States will agree to surrender entirely this field of taxation to the Federal Government. It is more likely that any excess burden which may exist because of collections by the two Governments could be relieved by the Federal Government reducing its rate to a point where a reasonable levy by the States would not be too great a burden. Furthermore, relief would be assisted and the element of duplication avoided by Congress allowing as a deduction in Federal tax returns as much as one-half of the amounts of estate taxes paid to the States.

One of the most common complaints against the inheritance tax is the need, under speed for collection, of sacrificing valuable assets of an estate and the injury or actual destruction of a valuable business. This situation was recognized by the Congress in constructing the present law when they increased the time limit to three years and this time could, without danger to the Government, be further increased, if found necessary.

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A discussion confined to death duties cannot adequately deal with the many problems presented by tax legislation and tax administration. It is necessary for those who have to do with the enactment of tax legislation or the administration of the same ever to keep in mind the necessity of the widest distribution of the tax burden, the levying of the tax in accordance with the ability to pay, as well as the rate that will produce the most revenue by encouraging rather than discouraging industry.

What the country most needs is a better balanced and a more permanent and more endurable tax programme. In determining this, it is necessary first to ascertain with at least approximate accuracy the amount required to maintain the Government programme and then proceed to allocate the tax load. This really includes both the customs tariff and internal taxes. The same principles to a considerable extent should guide the economic student in analyzing both fields.

In dealing with income taxes, first and foremost, we should seek to answer the question, What constitutes the income to be taxed? There is no magic in the annual basis of computing net income. In England, they realized this fact and average net income over a period of three years is their solution. Would it not be better for our country now to adopt as a basis for income tax the average income of its citizens over a five-year period?

The varying annual profit in all forms of business teaches us that to regard as a man's income his net profits for any one year is to cause him to pay either too much or too little as his fair proportion for the upkeep of his government. An average which would permit the accumulation of profits to a point where such profits are large enough for a taxpayer to gain the benefits of his losses, needs a five year period. How many forms of business in times of depression have shown net losses for two or three years, but as a reward for the anxiety borne by the taxpayer and the unremitting attention to the business with the hope of its upbuilding, its fruition, let us say, has come in the third year, attested by large profits. Without the benefit of the deductions in the losing years, the taxpayer then pays for his profitable year immeasurably in excess of what a sound interpretation of net income should cause him to pay.

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As an answer to the advocacy of an income determined by an average over several years, opponents urge difficulties of administration. Such difficulties, if they exist, are not comparable with the difficulties experienced by the quibbling over items of net income which is the occasion of so much annoyance under present administrative methods.

The English system, except in cases of obvious fraud, results in the acceptation of the return of the taxpayer as certified by responsible accountants, and inasmuch as the net income is determined on averages, the importance of separate items becomes less and less, the quibbling decreases and ultimately becomes negligible. There is certainly no insuperable administrative objection to arriving at a fair average net income over a period of years. On the contrary, it is probable that when once installed, such a method would tend to simplification.

Experience justifies the belief that the best revenue tax system is one in which the basic revenue source is net income, supplemented by a tax on tobacco and tobacco products, the estate or inheritance tax and customs duties. The expenses have not yet been reduced to the point, however, where these four sources can be relied upon for the necessary revenue. There is now being collected about three and one-half billion dollars for the use of the Government. It would seem that for next year this can be safely reduced to three billions. It is likely to remain at about this point until 1945 when the present sinking fund provision will have functioned to the extent of reducing the Government budget to two billion dollars. At this time, however, we are concerned with getting three billions in a way that will occasion the least hardship. If fifty per cent. of credit is given to the States on account of inheritance taxes, the revenue from death duties cannot be expected to exceed fifty millions. It is probable that the three hundred and fifty millions now being collected from tobacco and its products can be maintained. Assuming a continuation of five hundred and fifty millions from the tariff and three hundred millions from miscellaneous excise taxes, we would have to secure from income tax sources about one and three-fourths billions to meet the budget of three billions. This is about the amount that is now being collected from personal and corporate income

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sources. To permit, therefore, the reduction of the maximum surtax rate at this time, it will be necessary to assume that business initiative encouraged thereby will make good the loss.

It is, of course, as necessary to maintain an even-handed justice in executing the laws as it is for legislators to safeguard the rights of the people in constructing the laws. Should this objective be violated in either case the integrity of the nation would be as assuredly undermined by loss in good will as is a family when the parents show preference for a certain child or use vicious means in correcting or punishing a child. Children love and respect their parents because they have an abiding faith in the fact that their parents' faith in them is prompted by unselfish and just purposes. The condition is not different as between citizens and their country.

The drafting of new acts and amendments to old acts have been naturally largely left thus far to Treasury officials where observance of and experience with the execution of the laws produce men skilled in handling administrative difficulties. At the outset and to a considerable extent to the present time this has been necessary. The Treasury tax officials, as a rule, have been men of proper motives prompted in their actions by the desire to collect the revenue due in the easiest manner. It is only natural that they should be desirous of reducing their own difficulties as much as possible. There may be danger that they are too close to this phase of the situation. Taxpayers are naturally interested to make sure that these officials do not lack the necessary perspective to view the tax situation in its broadest sense, divorced from mere administrative difficulties. Interest in our common country demands that we pass taxing laws only with a view to justly applying the tax burden. The next step is to leave the administrative difficulties to be solved by the very Treasury officials who are so able to deal with them.

DANIEL C. ROPER.

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THE TREND TO AN AMERICAN DEMOCRACY

BY JOHN BRITTAN CLARK

NOTHING connected with the recent all too quiet celebration of the birth of the American Constitution was worthy of more universal serious attention and emphasis than the pronouncement by the Citizenship Committee of the American Bar Association: "The Constitution of the United States, as originally written and interpreted, created a republic, or representative democracy."

It would have been much better had the words "a representative democracy" been omitted from that statement. While absolutely true if rightly understood, they will almost certainly be misunderstood and be thought identical with "a democracy", and so unintentionally give support and comfort to the serious mistake and strong tendency in public feeling today. "A representative democracy" is one thing; "a democracy" is an entirely different thing. If "a representative democracy" is what the founders of the Constitution intended, "a democracy" is the very thing they feared and sought to make impossible in every way they could devise. There can be no doubt of this. Of their number two, Madison and Hamilton, were designated spokesmen and interpreters of the work of the Constitutional Convention. Writing in *The Federalist*, Madison said:

> Democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property, and have in general been as short in their lives as they have been violent in their deaths. Theoretical politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights they would, at the same time, be perfectly equalized and assimilated in their professions, their opinions and their passions. . . . A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect and promises the cure for which we are seeking. . . . The two great points of difference between a democracy and a republic are first, the designation of the government in the

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latter to a small number of citizens selected by the rest; secondly, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government. . . . The effect of the first difference is, on the one hand, to refine and enlarge the public views by passing them through the medium of a chosen body of citizens whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be less likely to sacrifice it to temporary or partial considerations. Under such a regulation it may well happen that the public voice pronounced by the representatives of the people will be more consonant to the public good than if pronounced by the people themselves convened for the purpose. . . . Hence it clearly appears that the same advantage which a republic has over a democracy consists in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and to schemes of injustice. . . . In fine, it consists in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority. . . . The true distinction between these forms is that in a democracy the people meet and exercise the government in person. In a republic they assemble and administer it by their respective agents. The first question that offers itself is whether the general form and aspect of the government be strictly republican. . . . It is evident that no other form will be reconcilable with the genius of the American people.

So far as Mr. Madison was concerned, a republic as opposed to a democracy was the form of government framed by the Constitution.

On September 18, 1803, Hamilton wrote to Pickering:

The plan of a Constitution which I drew up while the Convention was sitting and which I communicated to Mr. Madison . . . was predicated upon these bases:

1. That the political principles of the people of this country would endure nothing but republican government.

2. That in the actual situation of the country, it was in itself right and proper that the republican theory should have full and fair trial.

3. That to such a trial it was essential that the government should be so constructed as to give all the energy and stability reconcilable with the principles of that theory.

These were the genuine sentiments of my heart and upon them I acted.

Mr. Hamilton could not have said more plainly that the government intended by the Constitution was a republic, not a democracy. Granting this, which it would seem impossible for any truly informed to deny, one is not a little disturbed by the loose way in which the word "republic" is put aside and the

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word "democracy" substituted by many prominent, able writers and speakers today. In an address to a great audience in New York city Lloyd George expressed his fear of "peril to democracy". He said: "The United States, France and Great Britain are the only great democracies remaining in the world today. The fate of humanity," he declared, "and of civilization would depend upon these three nations clinging to their democracy. Where a people is sound, a democratic form of government is always best." Evidently Mr. George is directly at variance with the Constitution of the land in which he was speaking. He did not realize that he was. In common with countless others, he was using loosely the word "democracy", thinking of one thing and speaking of another. In view of what the framers of the Constitution unmistakably state, one is forced to wonder at such statements as "America was founded on the principle of democracy", or "make the world safe for democracy". This last is the very thing no true American should desire. Rather, it should be his desire and effort to make the world the most dangerous possible for democracy. If one claims, as Mr. Beck suggests, that the Declaration of Independence sought to "make the world safe for democracy", this was, however, in only the preamble of the Declaration and was a reflection of the tide of political idealism which influenced people everywhere to some degree from the middle of the eighteenth century to the end of the French Revolution, when "the sentimental and often hysterical abstractions of Jean Jacques Rousseau and the Encyclopædists held sway". What the framers of the Constitution tried to do was not to make the world safe for democracy but to make democracy safe for the world. And they sought to do this by taking the direct power out of the hands of the mass—something which inheres in a democracy and which it vehemently demands—and, while giving the mass adequate representation, imposing upon it salutary restraints in the exercise of its power.

The present all too loose use of the word "democracy", the emphasis given it today, meets with favorable response because it has so appealing a sound to people jealous of their real or imagined and, as it seems to them, menaced rights and privilege; especially in an age such as the present of social and industrial

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unrest. The many make no distinction between "a representative democracy" and "a democracy", or between "a democracy" and "a republic". This is not surprising when not a few encyclopædias and dictionaries make the terms synonymous. Did people realize they were not synonymous; did people realize just what "a democracy" is,—a thing the framers of the Constitution clearly realized,—they would as emphatically oppose as now they applaud the plea for democracy. Doubtless, this appeal is made by true lovers of their country who really think the fundamental original principle of the American Government is endangered. The effect is the same, notwithstanding. One of the truest and saddest things in life is that ignorance does not nullify its results. But it is too charitable to attribute to honest ignorance this wide and loud propaganda for democracy. It is more true, if less kind, to attribute it to a determined purpose and effort of many able people to do away with the republic in favor of a democracy. These know the popular failure to distinguish between the two, and they purposely play upon this failure. They recognize clearly the distinction. They know well just what they are doing. They recognize that between them and their goal is the Constitution, and do not hesitate to ask, "Shall the conditions of today be under the control of a piece of paper because it happens to be a century or so old?"

This tendency to substitute a democracy for a republic began with the gradual and progressive reduction of a representative to the grade of a mere delegate, changing him from one chosen by his constituency to give his experience, his brain, his conscience and his best service on all public matters coming to him as a representative, to one who tries to express on all public matters the opinion of the hour, transitory and unsound as that may be, or the opinion of his constituents who are not in a position to know much that he knows connected with the matters that come up for decision. It is commonly assumed that the first duty of a Senator or Representative in Congress is to his constituency. It is not. This is fundamentally wrong. But this is the characteristic principle of a democracy. This is why many national legislators think of nothing but safeguarding the interests of their Districts instead of thinking primarily and chiefly of the interests

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of the country as a whole. A national legislator is chosen to serve his country, not any one section of it. He is paid by the United States, not by his particular District. True, we have sacred authority for saying "say not that the former times were better than these". It is true, nevertheless, that in "former times" there were able and revered legislators who refused to obey the dictates of their Districts when these were opposed to their personal conviction of what was best for the country. They felt that their constituency was the United States, not this or that State, this or that District. But so strong today is the trend to a democracy that any man seeking public office or reëlection on this assumption of his office is threatened with defeat at the polls. A democracy insists that its representative must take his constituents' advice, must obey their instructions, must be their messenger bearing their message. In other words, the mass shall directly have the governing power—the very thing the Constitution seeks to prevent.

Starting with this altered conception of representation, other trends to substitute a democracy for a republic are apparent everywhere. When the head of a great industrial organization openly urges its members to disregard the pronouncements of the Supreme Court, he gives a flagrant demonstration of the trend to a democracy in the proposed substitution of mass opinion for the judicial function of the republic. When, as often today, the settlement of crucial public difficulties is left to a commission, there is the transference to the mass of the administrative function of the republic. Possibly the most apparent demonstration just now of the trend to a democracy is given by the Ku Klux Klan, an organization large in numbers and widely spread over the country, committed to the principle of taking matters out of the Government's hands into its own hands and settling them according to its own standards.

And, despite the contradiction it will undoubtedly cause, the primary system of American politics plays directly into this trend to a democracy. The primaries notoriously do not represent majorities, but the minorities which by them insert and plant their radical and disruptive views. Some of those who will make the present Senate the most vociferous on record were

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nominated by less than thirty per cent. of their party vote at the primaries. When President Harding, in a letter to John A. Stewart, expressed the opinion that the primary system tended to make Senators and Representatives less officers of the Government than representatives of their own constituencies, he touched one of the main channels for a democracy to supplant the republic.

It is the mental attitude in all this matter which is most significant. No one thinks for a moment of disregarding the people. The rule under a republic is always with the people. But how shall the people rule—directly? "Yes," insists a democracy. "No," says a republic. Today the strong trend is away from the indirect to the direct rule of the people; that is, from the republic formed by the Constitution to the very democracy it sought to make impossible.

When one realizes that the representative principle has been challenged in twenty-two States of the Union by the initiative and referendum; that the independence of the judiciary is menaced by many provisions for the recall of both judges and judicial decisions and the final impairment of the power of the Supreme Court; when he realizes the infinitely more portentous tendency to shift the power of the Government to organized classes so that organized classes can force their will upon the Government not only through the ballot but through control over the very necessaries of life; when one realizes the many agencies for the baneful propaganda of the Third International, of the Bolshevist tenet of the rule of the majority acting directly upon public matters; when one realizes that there are published in this country five hundred and sixty-seven radical newspapers printed in twenty-six different languages, of which three hundred and fifty-two are printed in foreign countries and the joint circulation of which in this country is not less than one million a day; that over $400,000 was sent from Moscow in one year to be devoted to aligning the Negro population with the Russian Third International; that there is every year in Moscow a Congress with a school for giving detailed instruction to the discontented from each country how to aggravate the peculiar discontent in their respective localities; when, I say, one realizes all this, one can

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not but feel how potent and persistent is the determination and the effort to supplant in America the republic by a democracy. It is greatly to be regretted that so repeated and public insistency is laid upon America being a democracy. America is not, may she never be, anything but what the framers of her Constitution intended, a republic.

In his great and exhaustive work on *Political and Constitutional Law*, John W. Burgess, after analyzing minutely the forms of government of the four leading nations, makes the following deductions: "I do not believe it utopian to predict that the republican form will live after all others have perished. . . . It is hazardous venture to prophesy what the form of the future will be. It seems to me, however, that form will be a republic. . . . It seems to me evident that the destiny of history is clearly pointing to the United States as the great world organ for the modern solution of the problem of government as well as of liberty."

JOHN BRITTAN CLARK.

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FIVE YEARS OF PROHIBITION AND ITS RESULTS

In the June-July-August number of this REVIEW *were printed ten articles of the highest authority written from the point of view of those opposed to the present system of National Prohibition. In the current number are printed corresponding articles of equal authority, written from the point of view of those who approve and support that system. Both sets of articles were written and received by* THE NORTH AMERICAN REVIEW *at the same time, so that neither was prepared with any knowledge of the contents of the other, or with any reference to it.*—THE EDITORS.

IS THERE PROHIBITION? AND TO WHAT EXTENT?

BY WAYNE B. WHEELER, LL.D

General Counsel, Anti-Saloon League of America

THE fact of Prohibition—the actual forbidding—is in the Constitution and the National Prohibition Act. Its success—the observance of the law by good citizens and the enforcement of the law against bad citizens, with accompanying social results—is evidently the question for discussion.

We determine progress by measuring distance from the starting point rather than from the goal. The extent of Prohibition's success is evidenced by the revolutions it has caused in private and public life, in social and economic fields, in the realm of crime, poverty, disease and insanity. These, with kindred social indicators, are the sole trustworthy witnesses we may summon to join the history of license days in testimony to the achievements of this new national policy.

If we had no Prohibition, conditions today would probably be as they were before the Eighteenth Amendment, with the natural increases incident to population growth and the unwholesome stimulation of immorality and crime that usually comes as the

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aftermath of a war. Our memories are rather short. Prohibition has accomplished so much that we expect it to build Rome in a day. It has cleaned up so much of the moral and social wreckage of a century in which Booze was King that we are shocked today to find, hidden away furtively in the corner, some of the débris from the old Belshazzar's Feast.

Here is the situation that existed when Prohibition began to dawn and which made it imperative, and the contrasted situation today:

THEN	NOW
177,790 licensed liquor saloons, most of them selling after legal hours and to minors and drunken persons, also 100,000 speakeasies.	No licensed saloon. Speakeasies exist, as filthy and criminal as in license days.
	483 cereal beverage plants today produce 151,606,909 gallons with less than one-half per cent. alcohol.
1247 breweries making 2,000,000,000 gallons of beer a year.	No breweries operating lawfully.
	Few break the law today where courts use padlock power.
507 distilleries producing 286,085,463 tax gallons of distilled spirits in 1917.	No distilleries legally operating. Total British whiskey export to Canada and West Indies, 1924, 1,429,274 gallons, a little of which was not drunk by Canadians but was smuggled into the United States.
Drinking made cheap, easy and inviting.	Drinking made costly, difficult and dangerous.
Alcoholic death rate of 5.8 per 100,000 yearly.	An alcoholic death rate of 1.1 to 3.2 per 100,000 yearly.
An average annual death rate of 13.92 per 1,000.	An average annual death rate of 12.37 per 1,000.
1,250,000 drunkards arrested yearly, although only 20 per cent. of public drunkards arrested.	Over 350,000 average annual decrease in drunkenness arrests since War Prohibition, although nearly all drunkards are now arrested.
Crowded county jails.	200,000 fewer county jail commitments per year. Many jails empty or for sale.
Rising penal ratio.	Drop of 5.8 in penal ratio per 100,000 according to Federal Census (last criminal census) 1922.

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Charity societies, Salvation Army, churches, almshouses, etc., spent millions yearly for drink-caused poverty.	Decrease of 74 per cent. in drink-caused poverty; Federal census shows lowest pauperism ratio in history.
275 drink cures, all busy.	27 drink cures, most of which handle alcoholic cases only as a "side line."
Alcoholic insanity increasing.	Alcoholic insanity decreased two-thirds.
Delirium tremens wards full.	Few delirium tremens wards exist.
Saloons on valuable business sites decrease neighborhood realty values.	Realty value of former saloon sites trebled; neighborhood values more than doubled.
Slums for poorly paid workers.	Fifty-one per cent. of home building, for workers in 1924; slums practically gone.
Red-light districts in license towns.	The brothel has practically vanished.
Venereal disease menaces national life.	Venereal disease vanishing.
Protection of law given to debasing traffic.	Drink traffic outlawed.
Brewery corruption pervades politics, boycotts business and threatens courts.	Corruption less in politics and business but still reaching officials although in a less degree.
Many times the amount received from liquor licenses spent to care for drink-caused crime, pauperism and insanity.	Liquor criminals through fines pay cost of own detection, prosecution and imprisonment.
Industrial production checked by blue Mondays, drink-caused accidents and inefficient drinking workers.	Industrial production speeded up, accidents lessened, efficiency increased.
Saloons divert over $2,000,000,000 annually from legitimate trade.	Retail trade, savings and insurance profit from saloon closing.
Homes wrecked and home building checked when saloon took margin of earnings between actual existence needs and total wages.	Home building increased 152 per cent. since Prohibition, while purchases of small homes have trebled. Building and Loan assets more than doubled in five dry years.

That is only a sample of the catalogue one might continue, using the deadly parallel, comparing conditions since Prohibition with those before. They are a fair answer to the query: Does Pro-

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hibition prohibit? Of course, Prohibition does not completely stop the making and using of intoxicants. No prohibition law accomplishes its purpose so completely. It reduces the evil. This is the test for measuring the success of any law. There must be a measurable degree of success to have accomplished the results already secured.

Three stock arguments are offered by the brewery agents today in reply to these facts: Venality of enforcement agents; increasing arrests; drinking of youth. Formerly the control by the brewery interests threatened the life of the republic and made necessary a Senate investigation (1918) revealing corrupt practices, unparalleled by any other group in our history. The attempted subsidization of the press, the boycotting of business men who favored Prohibition, the raising of a million yearly in Pennsylvania to elect wet United States Senators, Representatives and State legislators, the customary trade tax of three cents per gallon on beer for a slush fund for politics, was just part of the brewery policy. This same influence today is corrupting public officials, violating the law in nearly every State in the Union and opposing the passage of enforcement laws. The record is the same in kind but less in degree since Prohibition outlawed this lawless business.

Crime caused by liquor has decreased throughout the country, including crimes of violence. The Federal Census of Prisoners for 1922 shows a decrease of 5.8 per 100,000 in the comparable ratios of penal population since 1917. In Indiana, the total commitments to jails and State farm in 1924 were six thousand fewer than in 1915, the last wet year in that State while prison commitments fell from 40,075 in 1916 to 31,408 in 1924. In Massachusetts seven of the twenty-one jails have been closed and two sold, because of the decrease in crime, while the number in the prisons of that State dropped from 5,239 in 1917 to 4,523 in 1924. In Connecticut jail admissions numbered 15,552 in 1917 and only 9,340 in 1924. The average yearly commitments in New Hampshire under license were 2,702.5. In 1924 they totalled 1,357. In New York State, the penal population fell from 15,343 in 1906 to 13,706 in 1924. United States District Attorney Edwin A. Olsen, of Chicago, who has made an enviable

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record for successfully prosecuting criminals in the courts, attributes a crime increase in Chicago to a breakdown of State law enforcement machinery. He finds that crimes against the Federal Government in that district have decreased more than a third during the past year. His office has obtained more than 2,000 convictions in liquor cases in the past two years. State's Attorney Robert E. Crowe of Chicago has denied making the statement recently attributed to him, that there is 20 per cent. more crime in the country today than five years ago.

The total number of arrests throughout the country has increased in 1924 because of increased violation of the automobile and traffic laws and for offenses against sanitary, school and other municipal ordinances. In many communities these minor offenses number 90 per cent. or more of the total arrests. But they do not mean a crime wave. Sober men are less quarrelsome and less likely to be driven to crime by desperate need than drinking men.

Youth, once recruited by the hundreds of thousands by the saloon, is an occasional instead of a regular drinker. The cost and quality of post-Volsteadian drinks does not create a habit as did the licensed intoxicants. The American youth problem is less serious than that in other countries. France, the land of the vine and of the heaviest alcohol consumption, and England, the home of beer, face the same question. English boys and girls throng dance clubs at all hours of the night with flasks on their hips, doing the very things the wets say young America is doing. The daily papers, notably *The London Morning Post*, have been full of letters on this theme, blaming youth's excesses on the housing situation, the movie and a host of other things, but Prohibition cannot be made the scapegoat there.

The attitude of the liquor trade toward youth is set forth in *The Brewer's Journal*, of England, February 15, 1922, thus:

> Yearly tens of thousands of alcoholic drinkers die. With the rising generation and whether or not they take to alcohol rests the future of the Trade commercially, politically and economically.

The legalized exploitation of youth has been rejected by this nation, whose attitude was clearly expressed by President Coolidge in his message to Congress, December 6, 1923:

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There is an inescapable personal responsibility for the development of character, of industry, of thrift and selfcontrol. These do not come from the government, but from the people themselves. But the government can and should always be expressive of the steadfast determination, always vigilant, to maintain conditions under which these virtues are most likely to develop and secure recognition and reward. This is the American Policy.

It is in accordance with this principle that we have enacted laws for the protection of the public health and have adopted prohibition in narcotic drugs and intoxicating liquors.

The bootlegger and moonshiner are our inheritance from the license days. The names they bear, the illegal trade they follow, the appetites they feed, the crimes they commit, are the product of the era when the liquor interests were in power and when drinking was common instead of rare, as today. They received no more attention then, than a mosquito bite next to a carbuncle. Now they are getting the attention because the greater evil is gone. Today we are arresting and imprisoning instead of ignoring these criminals. Convictions for violations of the Prohibition law numbered 37,558 in the last fiscal year in the Federal courts alone. The jail sentences imposed totalled over 3,187 years.

The cost of Prohibition enforcement is practically nominal. Fines and penalties paid into the Federal treasury by convicted liquor criminals last fiscal year amounted to $6,538,115.24. The total amount expended in administering the National Prohibition Act was $7,509,146.27. The greater number of cases are brought by the Federal agents before the State courts because of the congestion of Federal court dockets. Fines imposed by these courts do not go to the Federal treasury.

When the May offensive on land and sea was begun by the Coast Guard, Rum Row was broken. A few days of watchful waiting prevented the landing of the illegal cargoes. A campaign of terrorism against the officers and men of the Guard failed to shake the morale of the service. When the full complement of 200 destroyers, 100 fast patrol boats, 100 fast launches and over 4,000 men is given the Guard, the task of keeping rum pirates from our shores will be still more effectively accomplished. The next enforcement problem is redistilled industrial alcohol, the source of most of the illicit booze sold today.

Prohibition was demanded and is today supported by the

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overwhelming majority of the American people, who also obey these laws. A small minority, generally motivated by appetite or the desire to make money from the appetite of the liquor-addict, oppose. Election returns, showing increased numbers of dry candidates elected, and the popular vote in referenda on enforcement of the law, reveal the strength of the dry public sentiment. The law is not being enforced against the American people. It is being obeyed by the American people and enforced against the un-American, the alien, the lawless and the vicious minority. That minority today prevents the decrease in crime from being even greater.

Despite imperfections—and they are only a decimal of those attributed to it by those who are seeking to bring about the return of the brewer to wealth and political power—Prohibition is far superior to any of the systems of liquor control which have been devised. The uncontrollable character of the traffic compelled its outlawry after every alternative, except abject surrender, had been tried. Prohibition is effective to the degree in which the people of a community have organized the expression of their sentiment on this question. When such organization has failed, the united forces of the foes of the Eighteenth Amendment have prevented the enforcement of the law, in part.

The American republic has solemnly placed itself on record as prohibiting the greatest enemy of life, liberty and the pursuit of happiness. There are not enough society cream-puffs, political grafters, underworld gun-men or social morons in the land to prevent the fulfilment of that prohibition.

WAYNE B. WHEELER.

PROHIBITION AND RESPECT FOR LAW

BY JAMES J. BRITT

Chief Counsel of the Prohibition Unit

FIVE years ago, backed by Constitutional sanctions, Prohibition became the law of the land. No more intoxicating liquors for beverage use were to be made or sold to the end that none be

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drunk. A social change so fundamental and far-reaching had rarely been proposed. Customs deeply rooted in the lives of men since history began had now become unlawful. That it was done advisedly, after two generations of open discussion, and in the ways provided by the organic law itself, only cavilers will gainsay.

Now, after five years, we are asked what is the effect of Prohibition upon that respect for law in general upon which civilization depends. Let us first inquire whether Prohibition is a sound national policy, and whether we have made reasonable progress toward its enforcement, that we may the better determine whether, in our efforts toward that end, we have undermined the sanctions of other laws. If, in accomplishing a great good, some injury results, it may well be borne.

It is our American way to embody our vital social policies in constitutions and laws and hold them to be good or bad in proportion as they protect our lives, promote our interests, and restrain the moral weaknesses of our natures, and by these tokens Prohibition must stand or fall. It is one of those self-imposed restraints which Edmund Burke held as among the most valuable rights of freemen. In our self-governing community their necessity is the more imperative, and we have been quick to see their value and ready to assume their obligations. We are an introspective, self-chastening people, given to diagnose our social maladies by severe moral tests, and, heedless of pain, to operate upon our own ills. Thus we destroyed human slavery, broke up State lotteries, applied the rod of correction to trusts and monopolies, and made interstate traffic in women a crime.

And, after more than fifty years of active skirmishing, we came to deadly grips with the saloon. The Church, the Anti-Saloon League, the Woman's Christian Temperance Union, and other organizations, long interested, became deadly in earnest and moved rapidly to the attack. They applied to the liquor evil those acid tests which challenge social standards to justify themselves or be destroyed. Women and children joined in the fray, and everywhere the lines of battle were drawn. We saw billions spent for that which did nothing for body or soul, but endangered both and formed a recruiting station for jails and almshouses, with

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an abundant harvest of widows and orphans. The battle thickened. The movement spread like wildfire. Towns and cities rapidly deserted the liquor camp, thirty-three States wheeled in line, the pillars of the saloon fell away, and Prohibition was here. Nobody could make a case for liquor. It had failed in every test, and could lay no legitimate claim upon anything or anybody. The theory of its necessity for medicine had been exploded, and its evil effects had become commonplace. A new industrial day had made it taboo. Railways would no longer employ drinking workmen. In business places signs were put out that no drinkers were wanted.

Nor would the plea of personal liberty or sumptuary law avail. With some a sincere protest, yet the cry of personal liberty was mainly the appeal of appetite or of lust for gain. There could be no personal liberty to injure others, and that which protected the community was not a sumptuary, but a social, regulation. The moral assizes of the nation held intoxicating liquors an alien enemy, wrote their judgment in the Constitution, and Prohibition became a national creed. The people thought it a sound policy then, and, despite disappointments, they believe it a sound policy now, and a plebiscite tomorrow would no doubt confirm their judgment by a five to one vote.

How much progress has been made in enforcement, we do not know, but that progress has been made, we know. Too much was expected, and results are not rightly appraised. That there is unlawful liquor and disgraceful drinking, none can deny, but conditions are better. There are no official surveys and we are left to individual judgment and the teachings of sense as to accomplishments, and although but little can be statistically proved, beneficial results are everywhere apparent. First of all, is the disappearance of the saloon. This is a gain of tremendous importance. The removal of an institution so anti-social and degrading is of incalculable worth to the nation, and particularly to its youth. In some places there are organizations of children under ten years of age who never saw a saloon. What a glorious heritage for youth!

In many sections there is practically complete enforcement, as compared with average general law enforcement, and throughout

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the nation there is, I believe, an average of 70 per cent. enforcement, with everywhere a notable decrease in drunkenness. Rarely now are drunken men seen in public places. Recall a large outdoor public meeting of ten or fifteen years ago, and you will see scores, even hundreds, of drunken men, while today it is a rare thing to see one. In a city of 50,000, prior to Prohibition, from thirty to forty drunken men might be seen on a Saturday afternoon, while today months pass and not one is seen. In industrial centers the change is even greater. Monday morning failure to report for work because of Saturday night's drunk is almost a thing of the past.

For ten years before Prohibition, 130,000,000 gallons of intoxicating liquors were withdrawn annually, mainly for beverage purposes, while last year 2,000,000 gallons were withdrawn, and if 3,000,000 were unlawfully withdrawn we have only a total of less than one twenty-fifth of that formerly consumed, while the price has advanced in most places from one dollar to ten dollars per quart, a price prohibitive to many. The laboring man emptied his pay envelope at the saloon and left his wife and children hungry, but he now has no saloon at which to loiter, and even if his inclinations have not changed, he cannot afford the price. Overshadowing all is the fact that the national habit is leading away from drink. It is rapidly becoming neither fashionable nor respectable. He who was once called a milksop because he would not drink in company, is becoming a cad or a vulgarian because he does. The fruit of Prohibition is abstinence; of abstinence, temperance.

Upon the whole, the progress made has justified the hopes of all familiar with the history of great reforms. At the beginning many thought it would take a generation to effect the end. We are dealing with human aptitudes deeply ingrained and long abiding. It took more than three hundred years to lead the people of Israel from the practice of idolatry, and more than forty years for the American people to stop the slave trade after Congress had made it unlawful. In the light of human experience, we should not expect complete Prohibition for some time yet, but that it will come, and be a part of the nation's order of life, let none doubt.

Nor has Prohibition injuriously affected respect for law in general. The charge is a gratuitous assumption made for anti-

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Prohibition propaganda. There is no logical connection between the alleged cause and effect.

The writer asked that keen observer, Secretary Mellon, whether, in his opinion, Prohibition is responsible for the prevailing disregard for law, to which he replied: "I think not. I believe it to be due, at least in part, to the general let-down and disorganization following the War. Of course, the Prohibition law has suffered in the general breakdown in common with other laws." Unbiased opinion everywhere supports this view.

That there is a general increase of lawlessness, all know, but it has no connection with the Prohibition Amendment other than as all laws are involved. It is due to the general lowering of morale following a war in which the moral props of centuries were removed. In very truth Satan was loosed for a season, nor has his recapture been too vigorously undertaken. America, with the rest of the world, was tremendously shaken, and has not yet regained its former steadiness. The let-down is universal. A distinguished European publicist recently declared that since the war there had been a three-fold increase of crime on the Continent of Europe, with a like increase of cost of enforcement. Since all European countries are non-Prohibition, this can hardly be attributed to the Eighteenth Amendment.

Much of the misunderstanding arises from the fact that it is practically impossible for Prohibition to get a fair report. Nothing in all American history has been so misrepresentative as the attitude of the press. With a few honorable exceptions, it is impossible to obtain a correct news account or favorable comment on anything relating to the subject. It is the maxim of Amos Cummings over again, that if a dog bites a man it is not news, but if a man bites a dog it is the liveliest of news. Obedience to law, the sober conduct of the great masses, their quiet pursuit of industry, morality, and religion, furnish no headlines. A Prohibition orator addressed a suburban crowd of five hundred, among whom was a newspaper reporter. At the close all were asked to pledge themselves to law enforcement, and all rose. The reporter did not mention the meeting. The next night, at a like meeting, in the presence of the reporter, the speaker was heckled by an anti-Prohibitionist, and a humorous colloquy followed. The speaker

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resumed his address and the incident was closed, but next morning the reporter had a four headline story with the conclusion that the speaker had been badly worsted and a near-riot barely averted.

There is an increase of murder, manslaughter, burglary, theft, false pretense, and other crimes, but is there anything in the Prohibition Amendment or statutes either countenancing or encouraging these crimes? It is not impossible that cheats, whose business is ill-gotten gain, seeing a larger opportunity in bootlegging, may have shifted from one crime to another, but Prohibition did not make them criminals; they were already criminals, and merely revealing their cloven hoofs in a different way.

There has, of course, been increased work for judges, prosecuting attorneys, and police officers, but this is a part of their day's work, at the behest of the nation, a worthy task in the common interest, and one to be joyfully performed.

At the Argonne, as a body of American troops were marching by on their way to battle, a French mother, who had lost her three sons cried out: "There go the Americans! There is victory where they go. They have never known defeat." Happily this is as true of our moral battles as of our military conflicts. In Prohibition there will be no turning back. The course of the nation is fixed. The Eighteenth Amendment will be honored, not in the breach, but in the keeping.

JAMES J. BRITT.

PROHIBITION AND CRIME

BY RICHARD J. HOPKINS
Justice, Supreme Court of Kansas

THE sovereignty of this country was ably portrayed in its matchless Constitution, grounded upon the consent of the governed. The adoption of the Eighteenth Amendment followed the logical sequence of previous Amendments for the common weal or general welfare. Its adoption, like the Amendment prohibiting slavery, was the culmination of more than fifty years

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of continuous effort in the face of alert, persistent and powerful opposition. The Prohibition Amendment was vitalized by the enactment of the Volstead law.

The liquor traffic has been the dominant cause of crime, misery and pauperism. Intoxicants, directly or indirectly, have sent more people to the jails, penitentiaries and insane asylums than any other cause. A large percentage of the crimes charged against persons arraigned in the courts is properly attributed to the use of intoxicating liquors. Such cases range all the way from the more serious crime of murder, committed by the individual in a drunken frenzy, to those of non-support, or to the simple charge of intoxication. The highest courts of the land have long taken judicial notice of these facts. Judicial notice means that courts consider, without evidence, those matters of public concern which are known to all well informed persons.

The relation of intoxicating liquor to crime was recognized by the Supreme Court of the United States as far back as 1847. In the *License Cases* (5 How. 504, 12 Law Ed. 256, 592), then under consideration, it was said by Mr. Justice Grier:

> It is not necessary for the sake of justifying the State legislation now under consideration to array the appalling statistics of misery, pauperism and crime which have their origin in the use or abuse of ardent spirits.

In *Mugler v. Kansas* (123 U. S. 623), Mr. Justice Harlan, writing the opinion for the court, said:

> We cannot shut out of view the fact, within the knowledge of all, that the public health, the public morals, and the public safety, may be endangered by the general use of intoxicating drinks; nor the fact established by statistics accessible to every one, that the idleness, disorder, pauperism and crime existing in the country, are, in some degree, at least, traceable to this evil.

In *Crowley v. Christensen* (137 U. S. 86), it was said:

> By the general concurrence of opinion of every civilized and Christian community, there are few sources of crime and misery to society equal to the dram-shop. . . . The statistics of every state show a greater amount of crime and misery attributable to the use of ardent spirits obtained at these retail liquor saloons than to any other source. . . . There is no inherent right in a citizen to sell intoxicating liquors by retail. It is not a privilege of a citizen of the State or of a citizen of the United States.

The Supreme Court of Ohio, in *Adler v. Whitbeck* (44 O. S. 539),

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said that the liquor traffic is "the acknowledged source of much of the crime and pauperism of the State."

The Supreme Court of Illinois in *Schwuchow v. Chicago* (68 Ill. 444), characterized the liquor traffic in these words:

> We presume no one would have the hardihood to contend that the retail sale of intoxicating drink does not tend, in a large degree, to demoralize the community, to foster vice, produce crime and beggary, want and misery.

The Supreme Court of Kansas, in *Durien v. State* (70 Kan. 1, 80 Pac. 987), in an opinion by Justice Burch, said:

> Intoxicating liquor is the prolific cause of disease, misery, pauperism, vice and crime. Its power to weaken, corrupt, debauch and slay human character and human life is not destroyed or impaired because it may be susceptible of some innocent uses, or may be used with propriety on some occasions. The health, morals, peace and safety of the community at large are still threatened.

Similar opinions showing the effect of the liquor traffic could be multiplied almost without end. They are grounded in the truth as intelligent men know the truth. They express the concurrence of opinion of every civilized and Christian community. They brand the liquor traffic as a cause of crime and misery to society. Sound reasoning leads to the inevitable conclusion that if the liquor traffic is a cause of crime, then when that cause is eliminated the evils which follow in its wake will naturally and necessarily be abated. It should require no extended argument to show that when there was manufactured and consumed nearly 2,000,000,000 gallons of beer and 150,000,000 gallons of whiskey in our country annually, people got drunk.

The first visible effect of intoxication is the lack of judgment and self-control which the brain exercises over the body. This dethronement of judgment and reason is what makes an intoxicated man think his best friend is his enemy, pick a quarrel with him and shoot him for some imaginary cause. It is for this reason that drinking men who love their families come home and commit the unspeakable crimes of murder, or assault, and sometimes maim their children or their wives for life. When the saloons were abolished and the use of liquor was reduced to the minimum, drunkenness and the arrests for drunkenness decreased in like proportion. Even in the more populous cities where the sentiment for Prohibition has not been as strong as in other parts

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of the country, the statistics since National Prohibition show a marked reduction in crime, especially in crimes of violence arising from uncontrolled anger, ill-will or other similar depraved emotion.

The committee on law enforcement reporting to the American Bar Association at its annual meeting in 1923, stated that—

> While Prohibition has added a heavy load to the enforcement of law and has led to flagrant violations of a certain character, yet it has more than offset this result by contributing largely to a reduction in the commission of other crimes. . . . Arrests for public intoxication in New York City for the years 1917, 1918, and 1919, totaled 26,496, . . . Collective arrests for the three years of Prohibition, 1920, 1921 and 1922 were 20,749—a decrease of 20 per cent. If a longer pre-Prohibition period were taken in comparison the percentage of reduction would be much greater. The total arrests for public intoxication in 65 of the larger cities in 1918 was 214,698, and in the same cities the number in 1920, the first Prohibition year, was 106,562. (*Reports American Bar Association*, 1923, p. 417.)

Available figures reveal that arrests for all causes in the State of Massachusetts were reduced 18.3 per cent. during the first four years under the Volstead act. Even Rhode Island, which failed to ratify the Eighteenth Amendment, has had honors thrust upon her by the abolishment of her State workhouse. These reports could be duplicated from many of the States.

The extent to which crimes relating to liquor are reduced depends naturally upon the enforcement of the law. In States where the law is well enforced crimes are reduced to the minimum. The question for solution is whether the government has the courage to "carry on"—whether the people will insist that the officials enforce a law adopted by the orderly processes of government. Crime will be greatly lessened in States like New York and Maryland when those States do their duty and enact laws in accordance with the obligations they have to support the Constitution. It can be reduced to a minimum everywhere when courts impose adequate penalties, when criminals know that punishment is sure and the penalty commensurate with the offense.

Every citizen can help reduce crimes relating to liquor by setting the example of voluntary obedience to law. There are comparatively few criminals in the United States, probably not

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more than one per cent. The ninety-nine per cent. of the people who believe in the enforcement of law can suppress crime. To do so, they must select men for office who believe in the law and its enforcement. No business concern would place at its head a man who did not believe in the business, even though he stated that he would honestly try to earn his salary and make it a success. Men opposed to a law are not proper selections as officers to enforce it. They are apt to take the position that the law is a failure and cannot be enforced. They are too prone to surrender upon the appearance of difficulty. They thus encourage those who are violating the law. They discourage honest officials who are endeavoring to do their duty. They embolden the minority who are seeking an excuse or defense for their criminality.

The liquor traffic produced the evidence, wrote its own indictment and convicted itself of being the arch enemy of the human race. Its adherents are impelled to advocate its return, primarily, for one or more obvious reasons: First, because they are financially interested; Second, because ignorant of or callously indifferent to its effects on the general welfare; or, Third, because so morally depraved they satisfy their appetites in spite of liquor's demoralizing and degenerating influence.

Liquor can never "come back." Those who have hopes or misgivings of the ultimate outcome of the struggle should consider the history of Kansas. Kansas is forty-five years removed from the thought of legalizing the saloon. Liquor is an outlaw within her borders. She does not want and would not tolerate modification. Conviction of violators is easier than in the past, because public sentiment has been crystallized; her people realize that intoxicating liquor is a commercial and social detriment to any community. Kansas officials and private citizens are agreed that Prohibition is the State's best business asset.

RICHARD J. HOPKINS.

Topeka, Kansas.

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PROHIBITION AS SEEN BY A BUSINESS MAN

BY RICHARD H. SCOTT

PROHIBITION can be seen by a business man; it looks good to him. He is glad that he has placed a standing order for increased deliveries for the future and intends keeping a careful watch to make sure that the quality of this necessary raw material of prosperity does not deterioriate. We must revise the old saying "Business is business" to read "Prohibition is business". The better the observance of Prohibition, the better business we have. There is no fanaticism about a balance sheet. No prejudices sway a cost chart. We can estimate the quantity and the quality of Prohibition almost as accurately today as any other of the significant factors in business.

Prohibition arrived at the exact time in our history when it was most needed. From the peak of war time production given over largely to the manufacture of instruments of destruction, we had to return to peace time conditions and constructive production. Wages were high. The nation had been trained to "save food" and save almost everything else normally consumed. Markets were disarranged. No one knew the probable consumption of any product. The war debt loomed as a menace to capital and wages. We had every condition necessary for a first class panic. We were not very far from having it, either. We knew what had happened after the Civil War when business was so smashed that it was 1879 before we resumed gold payments. This war had been a bigger one. Would it take longer to get back to normalcy? Most of the other participants are not back yet. It was in May that Great Britain returned to the gold standard. But America passed through this threatening period of readjustment with the minimum of business disturbance. There were hard times but no bread lines. Savings bank deposits nationally increased in the years when unemployment was highest. Prohibition had entered as a stabilizing force. It was the gyroscope of business. It held us steady under the most severe strain our business fabric has known.

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The business man sees Prohibition's results, not in terms of moral issues or personal appetites, but in the dual terms of business: production and distribution. Especially noteworthy have been the effects upon production. The efficiency of the average worker was increased. Factories were more nearly able to work up to the reasonable expectation of their machine power. Instead of dulled minds, unsteady muscles and jumping nerves after the holiday of Saturday afternoon and Sunday, the workers began the week on Monday with full power. From being one of the poorest production days of the week, Monday became as good a day as any on the calendar. The slackened pace formerly noted after the noonday visit to the saloon for a glass of beer, vanished. The efficiency of the factory force was increased and steadied.

Fewer machines were idle because of the absence of workers through illness due to drink. The labor turnover, a costly factor in manufacture, dropped and has remained comparatively low. For almost the first time, production engineers were able to estimate with accuracy the output and the production costs of any unit of a plant.

The average cost of industrial accidents is about $3,500, according to the recently published estimates based on Illinois experience. Where Prohibition was genuine, these accidents decreased greatly, lowering production costs by millions of dollars.

These factors in the business problem: increased efficiency per worker, continuity of machine output due to fewer absences of workers, lowered labor turnover and fewer accidents, would have been sufficient to change the red ink figures of loss to a substantial profit so far as production is concerned. In each of these factors, Prohibition turned the tide.

Distribution is the other element in business. Products must be sold. Prohibition created new markets for our products. New standards of living were set nineteen per cent. higher than when Prohibition arrived, according to Secretary Hoover. Instead of a pail of beer, the worker bought oil and gasoline. Better homes, better furniture, better clothes, more amusement were demanded. The wage check that once went into the bartender's till began to travel to the local merchant. The increased production made possible by sober workers was consumed steadily by a sober na-

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tion. We made and bought more goods than we had believed this country could absorb. In the automobile business we have several times passed the "saturation point" set by very careful business students. Every economic theory would seem to justify the belief that we were over-producing in many lines and were due to pass through a period of depression until we absorbed the surplus of products. All signs fail in dry weather, however. The saloon is closed. The bootlegger is making a lot of noise but not doing enough business to interfere with trade. The great mass of the people are sober, making money, buying luxuries as well as necessaries of life, banking undreamed sums and keeping business steadily on the high plane of prosperity in spite of all the prophets of disaster.

The credit business done in the past five years has been one of the most significant and interesting developments to a business man. Automobiles, houses, clothes, anything and everything can be bought on credit. It is the essential fabric of business. No other era or country ever saw the parallel of the present American extension of credit to practically everybody who desires it. Men who could not have "hung up" the bartender for a drink, in the old days, are now considered good risks for a motor car. To our coinage motto, "In God we trust," we have added the new one, seen in thousands of advertisements and on multitudes of stores, "Your credit is good here". Prohibition raised the credit rating of practically every human being in America. Defalcations are comparatively few. Families are able to pay their current bills and meet their installments because the liquor bill is gone. Wage-earners receive an income as steady and calculable as salaried men. Any credit man knows that a sober man is a better risk than a drinker. A sober man, too, will want things the drinker will not demand. A nation has to walk very steady to carry the lofty structure of general credit it has erected. It would not take much drink to bring that whole structure down in ruins.

As one concerned with the automobile industry, I have found that Prohibition and the automobile are as closely related as the auto and gasoline. A drinking America could not have bought 2,427,000 motor vehicles purchased in 1924. American auto

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manufacturers expect to make and sell 3,500,000 new cars in 1925. Of these 2,000,000 will be replacements, the used cars being sold to customers lower in buying scale, many of whom would not have even hoped to own a car in the license era. In 1920, the birth-year of Prohibition, the average outstanding note on an automobile was $377. Today it is $252. There is more money in the pockets of the average man since the bartender's cash register was silenced.

The significance of Prohibition as an essential to the auto industry is emphasized by the highway accident rate. In one year, 22,600 were killed and 685,000 injured, in this country. Of these accidents, 80 per cent were attributed to motor vehicles. The number of drivers' licenses revoked for intoxication suggests where the blame for some of these accidents must be placed. With open saloons, selling intoxicants to all comers, we would have to multiply this terrific total to an unbelievable figure. The drinker, whether driver or pedestrian, is a menace to the public as well as to himself. For the sake of the safety of the people, as well as for the continuance of the prosperity of the auto trade, with which is bound up the prosperity of the nation, Prohibition must continue and must be enforced. Nothing but Prohibition enforced can make the automobile safe for America.

I am not blind to the fact that the law is being broken. There is no news in that. Liquor laws were being broken when I was born. But there is news, financial news, stock-market ticker news, in the fact that the law is being observed and enforced. As observance and enforcement grow, business will continue to improve. Accepting at its face value the swollen propaganda of the wets about law violations, the bank clearings, commerce reports and business indicators generally are evidence that Prohibition, even when diluted by moonshine, is far superior to licensed liquor. That is the business man's view of Prohibition.

RICHARD H. SCOTT.

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PROHIBITION FROM THE WORKINGMAN'S STANDPOINT

BY JOHN G. COOPER

Member of the Brotherhood of Locomotive Engineers

PROHIBITION is making a capitalist of the worker, creating a general ownership of the means of production and solving a strife that once seemed perpetual. Greater gains have been made by labor since the adoption of the Eighteenth Amendment, with fewer strikes, than in any other equal period of time. When the saloon closed, the "poor man's club" may have vanished, but we are replacing it today with comfortable homes, fine labor temples and a chain of strong labor banks. There are some who want to go back to the old days when the beer saloon was the center of a slum neighborhood where labor lived, but they are not representative of labor's best interests and they are becoming fewer yearly.

Organized labor has played a conspicuous part in the Prohibition movement. The Brotherhood of Locomotive Engineers was fighting the drink evil a decade before the churches began their organized fight for Prohibition. It was not the railroad companies that insisted upon the total abstinence of the railroad workers but those workers themselves. When Henry Ford, followed by many employers, declared that his employees could not drink, he was just following the railroad workers' policy that there was neither safety nor profit in working with a drinking man. For many years the Brotherhood of Locomotive Engineers has had this law upon its books:

> The use of intoxicating liquors, either on or off duty, is prohibited. It shall be the duty of each division or lodge to investigate any violation of this rule and if any member is found guilty he shall be expelled. Any division or lodge failing to enforce this law shall have its charter suspended by the Grand Chief Engineer.

That law of the organization was rigidly and effectively enforced. Through it, we built up a splendid organization of capable men with a priceless reputation for efficiency, carefulness and courage. The low rate of death by railroad accident could never

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have been established if a beer-dulled mind was controlling the throttle on our fast engines.

The Locomotive Engineers, by a unanimous vote, declared in favor of nation-wide Prohibition in 1918, when the resolution of Congress submitting to the States the Eighteenth Amendment, was before the various legislatures.

According to statistics gathered by the Federal Council of Churches, approximately one-half of all the national and international unions affiliated with the American Federation of Labor have taken legislative action against liquor. Of the 108 unions thus affiliated forty-four have definitely taken action against the use of intoxicants, forty-two have taken no action and reports from the remaining twenty-two have not been received. The forty-four organizations which have voted against the use of intoxicants have approximately 2,015,000 members. The forty-two organizations which have not acted have 727,900 members while those not reporting have 117,500 members. This is merely a common-sense recognition that liquor is labor's worst enemy.

Before Prohibition, labor union meetings were usually held in a rather bare room on an upper floor of a building whose ground floor sheltered a saloon. The rent was low—if any rent at all was charged. The receipts at the bar from those attending the meeting converted into a profit any possible loss in rent. Today—labor temples have been erected and many others are either being planned or are in course of construction. There is a double meaning to this. First, labor is learning that it needs no more to depend on the saloon for free housing than for free lunch. Both were costly. Second, labor, unconsciously perhaps, is affected by its more dignified surroundings. The inferiority complex is gone. The very setting of his meetings gives the union member a sense of solidity, dignity and permanence. The neighborhood of the old saloon affected the morale of the labor union meeting upstairs just as it affected the realty value of the adjoining property.

When men began buying groceries, clothes, houses, autos, etc., instead of beer and booze, it meant more work for the workers who produced those things. The slogan invented by the brewery press-agents when they staged their fizzle parades in protest against the Eighteenth Amendment: "No Beer; No Work",

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should have read, "No Beer; More Work." That's what happened. The American worker does not have to limit production or resort to sabotage to ensure continued employment. A sober nation will want everything its workers can produce. Slack seasons are rare today and are limited to a few industries. Once they were common in nearly every trade except the brewery group. For the first time in our industrial history, the American worker is able to plan a year's budget with the comparative assurance that he will have steady work.

Prohibition has made the settlement of the perennial capital-labor disputes easier. It is not so easy to get a strike vote through a sober meeting. Alcohol is a mighty inflamable substance. Put it in the mind of a worker with a grievance and something is going to burn. Too often it was the worker who got burned. Strikes are costly. They are the ultimate weapon of labor, just as war is the ultimate weapon of nations, but today we arbitrate instead of striking and we are making steady advances toward industrial justice. The chip fell from labor's shoulder when the beer pail dropped from labor's hand. Sound logical argument has supplanted the sentimental argument of the "downtrodden workingman." Credit Prohibition with a large share in that.

When labor does strike today—unless the strike is of the "unauthorized" variety—something happens. Cool heads direct the strategy. With the saloons closed, rioting and violence became rare. That killed the old excuse for calling out the militia to crush the strike. Booze caused and lost more strikes in the past than any dozen other factors. Those days are gone.

Because labor is sober now, the worker is able to finance himself and family when strikes do occur, unavoidably. There is usually money in the savings bank. Strikes cannot be starved out, any more. Labor is becoming Capital, since Prohibition taught it to deposit its check at the bank instead of cashing it at the corner saloon. There are two important banking developments in this century. One is the establishment of the Federal Reserve Bank System. The other is the development of the Labor Banks. Richard Boeckel, the labor economist, estimates the saving to American workers, through Prohibition, at a billion

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dollars per year. It was probably more. Much of that saving went into better homes and improved living conditions but there was a substantial balance left for deposit in the new Labor Banks. Hundreds of millions of dollars are on deposit in these banks, which make investments on their own account and advise their depositors concerning the use of their money. Through this new accumulation of capital, labor is entering a field once thought the property of the enemy. The Brotherhood Securities Corporation of New York, organized by the Brotherhood of Locomotive Engineers, is the newest departure in the Labor Banks programme. This is the holding company, through which new banks are financed in the East. It is also a regular investment house for Labor. The Brotherhood has two other similar holding companies, one in Cleveland and one on the Pacific Coast. It is not more than five or six years since the Brotherhood opened its first bank in Cleveland. Today the banks that have grown from this beginning are a financial power.

The financing of a $3,500,000 bond issue of the International and Great Northern by the Brotherhood of Locomotive Engineers Coöperative National Bank of Cleveland and the National City Company of New York was the first great organized underwriting done by labor. But the workers of the country have been doing, individually, the same thing since they quit buying beer and began buying bonds. The development of the small investor and the demand for "baby bonds" is the natural outcome of the Prohibition policy.

Labor has learned that there is neither profit nor pleasure in getting drunk. It gets more "kick" out of an auto and a decent home than it ever did out of the corner saloon. The bootlegger does not find many of his customers in this social group. The rank and file have learned that drink doesn't pay. Men might "drown their sorrows in the flowing bowl" but labor hasn't as many sorrows as joys today and no one wants to drown joy. The older element, conservative and slow to change, may still grumble about a man's right to have a glass of beer when he wants it. The old brewery trades may still orate and agitate in the hope of getting their easy jobs back again. But Labor, as a whole, is back of the Eighteenth Amendment and the Volstead Act, and Labor's

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wife joins with Labor in whole-hearted opposition to any attempt to weaken the enforcing laws. That is why each election sees heavier votes cast for dry measures and dry men than the preceding election. Labor is "sitting pretty" just now, with high hopes for the future and with an increasing conviction that drinking never was what it was cracked up to be, anyhow.

JOHN G. COOPER.

PROHIBITION AND THE MEDICAL FRATERNITY

BY HOWARD A. KELLY, M. D.

Professor, Johns Hopkins University

PROHIBITION interests the physician more than any class of men in the country, not excepting the countless business men who today owe their increased prosperity to the closing of the saloons. The Eighteenth Amendment is undoubtedly the greatest community health measure ever enacted by any nation, prolonging life and smiting the causes of numerous diseases at the insignificant cost of an unnecessary and obnoxious thing inimical to civilization dubbed by demagogues "personal liberty."

In its highest aims, scientific medicine is far more concerned with prophylaxis, the prevention of diseases, than with therapeutics, for by the removal of the causes, the lives of countless millions are often saved, just as it is more sensible and better to prevent your house from catching fire than to keep a fire company busy putting fires out. When medical science discovered that typhoid fever was caused by the ingestion of fecal discharges of infected persons, it became at once preventable just in so far as politicians allow sanitary laws to be made effective and to that degree has typhoid been eliminated. Compulsory vaccination has driven into the distant background that fearful scourge smallpox. Laws compelling personal cleanliness banish the body lice and with them the frightful ravages of typhus which has slain its hundreds of millions, almost exterminating nations. The physician feels that because of the necessary utter ignorance of

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our people touching these vital matters, our legislators must coöperate in making our discoveries effective at any or all necessary sacrifices of things not vital. With such ends in view we insist that the highest liberty is always only attainable by giving up those impulses, those "liberties" we enjoyed in a savage state. The veto placed upon intoxicating beverages is of all bans the best entitled to a place in this list of restrictions and prohibitions which have poured out their blessings upon mankind. Alcohol as our race has used it is but a brother to the typhoid and smallpox germs and the louse of typhus as well as to all the other nasty promoters of the fatal diseases which yearly decimate large communities.

When I was but a youngster in medicine in the late 'eighties, and for generations before my day, it was the unreasoning fashion of my profession to prescribe some sort of an alcoholic drink as "a tonic" in convalescence, and this evil habit to some extent still lingers as our worst inheritance from our respected fathers; the good done about equalled that of pink pills for pale people, while the harm done in implanting and fostering a deadly habit was incalculable. Our own day is proud of its eminent experimental physiologists whose researches justify the declaration that alcohol is rarely if ever of any use, that it is not a remedy for disease, that it is a nerve depressant, and, above all, that it is the basic factor in many serious diseases. The large majority of our best physicians have abandoned its use, and tens of thousands do not take the trouble to secure a permit to prescribe it.

The number of deaths registered in the past as due to alcoholism is by no means an accurate index of the full benefits accruing from prohibition as a health measure, for in many instances only secondary causes of death have been cited in order to save the family or to protect a reputation,—the age-long response to the maxim "*de mortuis nil nisi bonum*"; it is common knowledge that the high computed ratio of alcohol victims in the license period was far from inclusive. But even so, note the remarkable reported decrease; from 5.9 in 1913 it fell to 4.4 in 1915, per 100,000 persons, the lowest mark in the license period, rising to 5.8 in 1916. Since Prohibition, the death rate has averaged a little over two per 100,000 and fell as low as one per 100,000 in 1920!

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With laxity of enforcement, it jumped to 3.2 in 1923; what sturdier argument do we need? Reliable and unbiased statistics of a long array of American and British life insurance societies also declare an unexpected, astounding, and unprecedented diminution in the death rate under a Prohibition even half heartedly administered as it is in some of our States, or as in my own poor Maryland where with many wet officials there is no effective State coöperation at all.

A still more valuable index of the signal benefits of Prohibition is to be found in the general health of the nation, which has never been better. The Metropolitan Life Insurance Company recently declared that "The health of the people of the United States and Canada was, in all probability, better in 1924 than ever before. This is the first year in which every important cause of death has registered a decrease from the year before."

Assailants of Prohibition often imagine a conspiracy in the country districts as opposed to the cities: let us compare their relative life expectancies. In spite of the far better and more prompt medical supervision in our cities, the vast statistics of the Metropolitan Life show that "Life is longer and health is better for those who live in the country and the smaller towns than for the city dwellers. The rural boy at birth has a life expectancy of seven and three-fourths years more than his urban brother, and the country girl may expect to live six years longer than the city girl." The praiseworthy abstinence of our rural communities is signally reflected in such data.

The alcoholic is the common victim of a host of chronic fatal diseases of the liver, heart, blood vessels, kidneys, stomach, and intestines. His bibulous habits and depraved associations also serve to gender the universal deadly syphilis and gonorrhœa, for no small part of the profits of prostitution have always come from the liquors forced upon the "guest" and consumed on the premises, obfuscating his judgment and rendering him indifferent to risks.

Alcohol's social ravages daily knock at the doctor's door and beg for free treatment; they are extreme poverty with attendant unsanitary housing; insufficient, thread-bare, patched clothing, malnutrition, and all that such wretchedness implies—potent

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factors offering a nidus for tuberculosis and a long gamut of acute and chronic diseases. It is the surgeon rather than the attorney or the judge on the bench who visualizes the potency of alcohol as the factor in crime, in the bloody fights, the shooting and stabbing affrays, and the frequent suicides from depression, despair, and perverted mentality.

Machine and railroad accidents and all forms of injury are greatly increased under an alcoholic régime; the automobile accidents due to liquor alone justify national Prohibition; only a frightful battle has so many casualties. Any man who takes even a little drink impairs his judgment, and even though he may appear normal to a friend he is definitely intoxicated (alcohol poisoned) when his brain cells controlling reflex actions and quick perception with immediate responses are affected, greatly enhancing his liability to accident as he handles a powerful machine in a crowd or takes a chance in crossing a track. Our judges are woefully blind and blameworthy in not recognizing the dire effects of "just one drink".

Psychiatrists of a generation ago credited to alcohol and syphilis the largest number of the victims of those asylums which ever beleaguer our large cities and are so conspicuous on the landscape from the train.

Most reputable physicians object to excepting our profession from the beneficent law establishing universal prohibition and resent the permission to dispense liquors as an occasion of the lowering of a noble and dignified body to the level of the bootleggers. They hold that even if the prescription of liquor does some occasional good, that modicum of benefit is many thousand fold outweighed by the enormous harm done from keeping open this avenue for the easy violation of the law. That better part of our profession which takes greatly to heart the present great moral problems threatening the very life of so many nations views with no little alarm any parleying whatever, or the slightest compromise with the liquor fraternity, which obviously continually plots to wreck our government for its own miserable profit—we extend this strong feeling also to the predatory rich allies of the liquor men, and the indifferent of all classes.

We insist with every energy at our command that the State has

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the inalienable right to restrict any action whatever, whether it concerns our eating or drinking or other personal habits, in order to promote the public welfare. If the government (*nemine contradicente*) controls our use of opium and of cocaine, then why not by parity of reasoning, alcohol? Communities have frequently been forbidden to drink from suspicious wells and such wells have repeatedly been closed to the great inconvenience of their near-by patrons, and yet no doctor has appeared to insist on reopening such a well to exploit his personal liberty.

We believe that this "due regulation" of our conduct for the benefit of the social body is clearly implied in the very word "government", and so as citizens who esteem the public welfare as an obligation higher than our personal tastes we cheerfully render due obedience to all laws.

Has not a great man said some two thousand years ago: "Looking every one not only to his own things but also to the things of others", and "If meat make my brother offend I will eat no meat while the world stands"?

HOWARD A. KELLY.

PROHIBITION AND LAW ENFORCEMENT

BY GIFFORD PINCHOT

Governor of Pennsylvania

ROUGHLY, there are three points of view from which to judge of the progress of law enforcement. One is that of the bootleggers and liquor politicians who understand fully that the Eighteenth Amendment is a permanent part of our Constitution, that the laws under it can be and some day will be effectively enforced, but who in the meantime are making their profit out of law violation. Their point of view has the same right to be considered as that of similar criminals engaged in the white slave traffic and their political backers, and no more.

Second, a numerically insignificant but often socially conspicuous group of people, mostly rich, who hold that their personal habits are more sacred than the Constitution of the United States,

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and whose conversation was almost exclusively, and still is very largely, confined to the alleged tyranny and unenforceability of the Eighteenth Amendment. Neither the noise they make nor the amount of attention it attracts represent any proportionate influence on public affairs. "Sound and fury, signifying nothing."

Third, the great body of right thinking, law abiding people of the United States who believe in God, believe in the Constitution, and believe in law enforcement and are becoming more and more determined to get it. That means at least nine-tenths of us. From the point of view of these people the Eighteenth Amendment is here to stay. The power to keep it is in their hands.

For more than two years I have been in daily contact with the problem of law enforcement in one of the wettest States in the Union. The dominant political powers in Pennsylvania have been for years, and still are, in active alliance with the liquor interests. The largest cities of the Commonwealth are less wet than they used to be but still are dripping wet. At the time when the Eighteenth Amendment was adopted, Pennsylvania had in storage, with a single exception, more whiskey than any other State, and since that time Pennsylvania has produced more denatured alcohol, the raw material of far the larger part of the liquor now sold, than all the other States of the Union combined, omitting two.

Pennsylvania also had more operating breweries than any other State in the Union. Saloons were licensed by the State, although it was common knowledge that they could not keep open unless they broke the law. There had never been a single conviction of a big liquor violator in the State, and not one permanent injunction against any place violating the Eighteenth Amendment had ever been granted. That was the situation in January, 1923.

Today the saloons are outlawed. Great numbers of them have gone permanently out of business. Injunctions have been granted against very many saloons in the largest cities of the State where the law was most flagrantly violated. Breweries also have been closed by injunction until there are today less than half as many in operation as there were two years ago.

The attitude of the courts has changed. Bootleggers are being

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sentenced for long terms where nominal fines were the order before. Illegal saloons in a number of counties have been padlocked for periods of three months to one year, and the use of the injunction is making rapid and most effective progress. In Pennsylvania the attack on law breakers is becoming really effective, of which statement General Butler's superb campaign against them in Philadelphia is a striking proof.

The stricter attitude of the judges represents one of the greatest forward steps. It was well illustrated within the past few weeks when the President *pro tempore* of the Pennsylvania Senate, who is a member of the wet Philadelphia machine and an attorney for bootleggers, in open court undertook to abuse and ridicule laws passed in support of the Eighteenth Amendment. The judge gave him ten minutes to apologize to the court and the jury, and announced from the bench that he would send him to jail for contempt if he refused. The apology was made, with seven minutes to spare.

If the Eighteenth Amendment were a failure, which it is not, Pennsylvania would be the natural place for it to fail. In Pennsylvania it is not a failure but a success. If progress can be made in Pennsylvania it can be made in any State, for the handicaps are many. For example, the Chief Executive of this Commonwealth has no authority, as many Governors have, to remove mayors, sheriffs, or other officials for failure to do their duty. He cannot call special grand juries to investigate lawless conditions, nor appoint special terms of court to hear the cases. He cannot delegate the Attorney-General or one of his deputies to conduct such grand juries, nor to try the cases for which they find indictments. He has no appropriation for law enforcement, but is limited to the use of the State Police, a body of less than two hundred and fifty men in a State of ten millions, already fully occupied with other duties, and able to give a small percentage of their time to the enforcement of the Eighteenth Amendment only by working harder and longer than they did before.

Heavy is the responsibility of the men in public office who have deliberately refused to enforce the law when the way to enforce it was open, when the means were available and nothing but their will to enforce it was lacking. At their door lies the vast majority

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of the crimes of bootlegging, of the innumerable other crimes to which bootlegging has given rise, of the poverty, disease, and death which have wrecked innumerable lives and the home life of innumerable families all over this country. I do not say that purpose and energy on their part would have avoided all of it. I do say that in the last analysis the responsibility for the death and degradation of countless men, and the needless poverty and misery of innumerable women and children, lies squarely upon them. Whether or not the law can be enforced may be a matter of opinion, but these men never tried.

My two years' contact with law enforcement has convinced me beyond question:

First. That the Eighteenth Amendment is growing steadily stronger in the confidence and approval of the American people.

Second. That it has already conferred benefits of the largest value and most profound importance upon our people.

Third. That in spite of the activity of the bootleggers and the amount of space their operations occupy in the public press, the total drinking of alcohol in this country is insignificant in amount compared to what it was when the Eighteenth Amendment was adopted.

Fourth. That the talk of modifying the Volstead Law is mere waste of breath. The proposal to do so could not even lead to serious discussion until the law is actually enforced, and when that time comes what little demand there is for modifying it will have disappeared.

Fifth. That the law can be enforced, that it will be enforced, that enforcement is gaining on violation, and that when the Federal Government demonstrates that it intends to enforce the law, which it has never done yet, the problem of law enforcement up to the point of average efficiency will disappear.

The Eighteenth Amendment brings to our people solid advantages which are more and more apparent and more and more fully recognized. That is why it is here to stay.

GIFFORD PINCHOT.

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A MORAL AND ETHICAL ARGUMENT FOR PROHIBITION

BY REV. WALTER A. MORGAN

Chairman, Law Enforcement Commission of the Congregational Churches of the United States

THE moral value of Prohibition is twofold. In the first place the moral quality of the national will that made it a fact is of great moment. In the second place the actual results achieved since the Eighteenth Amendment became an American law are beginning to reveal moral and ethical values.

Public opinion, in the last analysis, is the master of men and events. Law grows out of public opinion and is a conservator of public opinion. Humanity makes progress only as it codifies its moral sentiment into laws. There is today an increasing sentiment among growing numbers of people for the abolition of war. International laws are being codified and much work is being done towards the end of creating new laws that make war still more difficult. The real moral worth of the peace movement is to be gauged not alone by what has been accomplished but by the urge of the people that some effective way be found for the peaceful settlement of international disputes. The ultimate law, or laws, that bring justice without arms will come because of the pressure of the people and the wisdom of the leaders. When they unite upon a method results will follow. The Eighteenth Amendment came because of the moral quality of the will of the voters in America, plus a concrete plan to bring about Prohibition. There are three things to be said about laws in general and the Prohibition law in particular.

In the first place, laws are necessary for a social life. The people need them to live. Moses codified laws that had been developing for centuries. The ordering of the Decalogue was to give divine sanction to what already had proved to be essential to the life of the Hebrews. Our American laws are safeguards of our individual and national lives. When the issue is between chaos and order the instinct of man will find confidence in law.

In the second place, laws are a gauge of the moral tone of the people. A law against stealing is a sign that the people will not

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tolerate theft. A statute forbidding dangerous driving of automobiles is a notice that the public holds the general safety in high regard. The legislation prohibiting legalized vice is a symptom of the moral quality of the community. Every law in America is the expression of the demand made by the majority of the people. Every sane man wants his family to live in a community where his children are protected by the strong will that says to those who would endanger health and morals, "Thou shalt not." The "Thou shalt not" arises as the expression of the ethical requirements of men and women.

The third thing about law is this: no law is popular with all the people. If the moment a national desire became a law it would thus automatically become operative upon all the people all the time, there would be but small need of police and courts. But such is far from the case. Those whose wills are contrary to the law are tempted to act their own will and defy the law. Murder is not uncommon among us and double locks upon our doors make it but more difficult for thieves to enter and steal. The police courts of our cities are busy punishing offenders. Owners of automobiles often reveal a general tendency to evade the law. The Eighteenth Amendment is not alone in standing across the way of an active minority of the people. Its prominence before the public attention is because of the strength of the minority and the economic significance of the trade in liquor.

The first moral significance of the particular Eighteenth Amendment, it needs to be repeated, lies in the fact that it registers the will of the great majority of the American people. It sets the standard of a dry nation. To permit one's thinking to become befogged over the matter of enforcement is to refuse to think straight or hard. All men admit that the Eighteenth Amendment is not enforced always and everywhere. Where on American soil is any law always enforced? How many uncaught and unpunished murderers are there today living in Chicago and New York?

The moral quality of the will that voted the nation dry had its origin in a moral and social source. It was an honest desire to protect human life. This wish was made concrete and appealing through the lives of women and children. The moral tone of any

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people rises or falls in accordance with its attitude towards mothers and their young. As the race has evolved womanhood and childhood have come to occupy more commanding positions. Today in the United States the moral sense of the people puts them first. What is good for them should become a law. So the voters were led to believe and so they acted. Men and women merely said, "The liquor business is a menace to our women and children. Let us get rid of it."

Then again, there was the appeal of the future. America repeated, "The future will give us more of life's real values if we can be freed from the influence of liquor." The race emerges from savagery through taking thought for the future. The moral quality of life is deepened as today is made to serve tomorrow. The Hottentot lives in the sunshine of the warm day with no regard for the cold that may come when the sun sets. The barbarian drives his herds from place to place for fertile pastures. The civilized man builds barns and houses against the winter. The statesman and prophet plan for generations to come. There was something prophetic in the American soul that saw the future as more humane if freed from the institution that takes sanity from men and brings no equivalent good. Down deep in the hearts of the American people is the appreciation of human values that made the Eighteenth Amendment first a goal and then a fact.

And now that the law is a part of the Constitution, has it any social and ethical results of value? Before they are suggested there are two observations that are worthy of note. The first is the briefness of time that has elapsed since the passing of the law. Five years, surely, are not enough to test any change. Human nature changes slowly. Moses lived a long time ago, yet a few Jews and Christians steal and lie. Can five years change a national custom? Are ways of thinking revolutionized in sixty months? Are habits and appetites reborn over night? Will a majority vote take away the desire for red wine? Beyond the briefness of time in which the test has been made stands like a firm but diminishing wall the will of the minority. They want their way and the law is broken. The fortunes that are invested in blockade runners are fabulous. The efforts put forth by many

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to get their liquor are stupendous. The pressure brought to bear upon public officials is all but overwhelming. And yet, in five years, and against great odds, results have been achieved that are but prophetic of the years ahead.

The ethical and social values of a law five years old are to be found not only in results but in tendencies. Statistics have their value, but this is not the place for them. No one knows the social status of multitudes better than Evangeline Booth. She writes: "From a social standpoint the change amounts to a revolution. Money spent on liquor now goes, at least a substantial part of it, for gasoline. Formerly it but purchased deprivation and often cruelty for the family. Now it procures healthful recreation and the cementing of family ties." From a faithful perusal of reports from institutions and organizations from all parts of America the following results can be verified.

The law was aimed at drunkenness and its effectiveness is proved by the great decrease in arrests for drunkenness since it became operative. The writer has before him as he writes reports from many cities, counties and states from all sections of America. He is bound to come to the following conclusions. Salvation Army leaders, social workers, district nurses, Prohibition officers, child welfare organizations and others who are in close observance of social conditions, have repeatedly declared that no other law has worked so great a revolution in social welfare as has Prohibition. Every report teems with evidences of decreasing juvenile depravity except in a few wet centers, lessened infant mortality, increased school attendance, poverty caused by drink almost eliminated, home life among the poor improved and clothes and food more abundant. As far as child life is concerned another quotation from Evangeline Booth is descriptive of a fact: "Prohibition means that in the future we shall have less to do with the grave and more to do with the cradle." Nearly one hundred million dollars of funds once spent to cure the harm done by the saloon is now expended in fresh air work, free dental clinics, prematernity care, district nursing, hospitalization and other forms of work. Can more be expected when opposition is great and the law is only five years old?

The reports that reveal the tendency in the jails, the poor-

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houses and the institutions of correction are illuminating. There has been a marked decrease in the deaths from alcoholism. In many instances jails have been closed and county homes have become almost obsolete. The number of families that require help because of drunken parents has shown a remarkable falling off. One hospital of thirteen hundred beds reports, "We had just completed a delirium tremens ward, but it never is used. Accident cases have decreased one-third." The increased savings in banks is known to everyone who reads. And so one might continue, but it is not necessary. The value of a social movement is revealed by its tendency in human relationships. The tendency is a social trend towards freedom from the evils of drink and into fuller life for all concerned.

If the moral quality of an act is in the motive, then the Eighteenth Amendment has the quality of an honest effort to enhance human values. If concrete results achieved against tremendous opposition and in five years reveal the ethical and social results of a law, then this particular law has made the future safer for everybody. In America, at least, the will of the people increases in its determination to go the way that promises most for the coming generation. The moral significance of the whole matter is just in this social will and its concrete results under law.

WALTER A. MORGAN.

PROHIBITION AND THE YOUNGER GENERATION

BY CORNELIA JAMES CANNON

WHENEVER the older generation foregathers to discuss the younger generation tales are told to make the blood run cold. But whether youthful defiance of Prohibition adds an appreciable amount of material to the indictment is yet to be proved. Undoubtedly Tut-Ankh-Amen and his contemporaries spoke with severity and astonished disapproval of the doings of the young Hatshepsus and Saa-nekhts of their day. General adult criticism of the young must be definitely separated from a consideration of

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the reaction of this particular generation to the Eighteenth Amendment.

Prohibition has certainly added the charm of actual law-breaking to the primitive tang of tasting the forbidden, a temptation as old as the Garden of Eden. It has not thereby necessarily increased the total consumption of alcohol nor augmented the poignancy of temptation to the majority of the population, young and old.

Cheating at examinations has been ruled against since examinations were invented. But cheating has persisted, nevertheless, and at times in school and colleges, under favoring conditions, has assumed quite alarming proportions. The amount and frequency of its occurrence has borne no relation to the prohibition of the practice, since that had always existed. But it has borne a direct relation to the rigor of enforcement. Where supervision has been lax, cheating in some schools has become so common that a student who went into an examination with white cuffs ran risk of being considered a moral prude. Where the proctoring has been competent, the technique of cheating has become one of the lost arts, symbolic of a decadent or a weakling schoolroom civilization.

Young people in certain social groups undeniably drink alcohol, and often to excess, unless, indeed, any consumption of alcohol, except under a doctor's orders, is not, in a Prohibition community, drinking to excess. But it must be remembered that individuals, here and there, of all ages and in all social groups, have broken every rule of God or man.

The question is not whether youth breaks and defies the laws, but whether conditions as regards drinking of alcohol under Prohibition are worse than they were before the Eighteenth Amendment went into effect.

Let us of the older generation be frank in canvassing the memories of our own youth. Did we not all know hostesses who served champagne at dances to their young guests for fear the men would otherwise refuse to come? Was there any dearth of young men going hopelessly down hill because of looking too long upon the wine when it was red?

A man, closely associated for sixty years with one of our large

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universities, first as student and then as trustee, finds the young men of the present generation incomparably superior to earlier generations in their whole attitude toward alcohol. In his days at college there was never a morning when the college yard did not show one or two students under the influence of alcohol, whose condition was unreprobated by their contemporaries. Students get drunk today, but the proportion is by comparison negligible. In addition with a new seriousness and wholesomeness the modern student body is developing an interest in other forms of pleasure which are destined in time to swing the rebels and weaklings into line. When youth itself voices distaste, the tide has turned, and here and there, throughout our educational institutions, the word, not of criticism, but of disgust for the carrier of the flask, is beginning to be heard.

The generation of children growing up, who have never seen a saloon, to whom the once common sight of the Saturday night bacchanalian orgie near the drinking resorts is not the ordinary tolerated incident of the week, is the generation most profoundly affected by Prohibition. These children are coming to maturity in a world becoming emancipated from the degradations and vulgarities which are inevitably associated with free access to alcohol. The flaunting defiance of the law against alcohol in our large cities cannot be dissociated from the defiance of all other law in those crowded, inchoate centers, and should not blind us to the decencies and conformities in our smaller communities where the Eighteenth Amendment brings additional strength to an enforcing public opinion.

There is a suspicion in many minds that the abuse of alcohol has passed from a lower to a higher stratum of society, and that it is the educated, privileged groups among the young on whom Prohibition is working a deleterious effect. In a measure this cannot fail to be true, not necessarily because the so-called higher stratum is more lawless and the lower less, but because the group with the largest funds can most effectively defy the law. In so far as higher and lower are measures of income, it is safe to say that the worst lawbreakers of this kind among the young are those with the most elastic pocketbooks.

As far as the young women are concerned there are certainly

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groups, both among girls who are brought into juvenile courts and those who are expelled from college, who are using alcohol as the same type of girl did not do a generation ago. But is this due to the existence of the Eighteenth Amendment, or to the extraordinary extension of opportunity open to the young women of today?

The girl of this decade is being brought before the bar of public disapproval by the horrified adult, and is making out a pretty good case against her prosecutor.

She says in effect, "You are letting me undertake work never before done by women. You are allowing me to be exposed at an early age to conditions and temptations to which women have never been subjected in the history of the world. I am in factories, stores, offices in the day time, and in theaters, at public dance halls, and on the streets at night, with no protection save such as society affords to all its members. You allow me to return to my home from my work or my play at all hours of the twenty-four unguarded. I am fending for myself in a world strange and alluring to me. I try all things, good and bad alike. You do not take responsibility for me. I will take it for myself, and you shall not blame me for the disasters I bring upon you or myself."

What, after all, has the older generation done save abdicate its position of authority and obligation toward the younger generation in relation to Prohibition as in relation to everything else? In so far as Prohibition has failed to do for the young what was hoped of it, the blame rests with the older generation. If we leave gunpowder around, can we punish children for blowing off their fingers? If we ourselves fail to have conviction enough to impress our standards upon our boys and girls, shall we hold them guilty?

The whole question of the effect of Prohibition upon the young is a question as to how adequately we safeguard and protect our children. Can we deny that we have largely left them to find their way in the wilderness of temptation we have allowed to grow up about them? Prohibition has succeeded with our young people in proportion as it has succeeded with us—no more and no less. If we can gather hope for the future, it will not come from deploring present conditions nor from commiserating ourselves, but

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from the contemplation of the development in our midst of vigorous, independent youth, which bears promise of courage enough to make its own judgments and genuinely establish standards, which we have indicated by a graceful gesture in the form of a law but have been too cowardly and too supine to enforce.

Our hope lies in the honesty of the younger generation and the clearsightedness with which they watch our blundering and our fumbling. They will never allow their children to do the things we have allowed them to do, and, from the bitter knowledge gained through our weakness and indecision, will be able to throw round the next generation a protection which we have failed to give them.

CORNELIA JAMES CANNON.

PROHIBITION AND PROSPERITY

BY THOMAS N. CARVER

Professor in Harvard University

THERE are many factors in the prosperity of any country or of any class. It would be useless to argue that Prohibition has been the only or the chief factor in the prosperity of this country or of our laboring population. That it has been one of the factors is a reasonable inference from such facts as we have, by any process of reasoning which we would apply to a similar problem.

When it comes to a pinch, practically every one admits that Prohibition or severe restriction of liquor consumption is necessary to secure the maximum economy of man power. Such a pinch came in the World War. Not only this country, but England, Germany and Austria as well found it necessary greatly to reduce the consumption of liquor. That was a time when every unit of man power counted; when no country could afford to waste any of it. No one doubted that drunkenness, at such a time, was a waste of man power that might produce tragic results. In these times of peace, the waste of man power is not so dangerous, nor are its results likely to be so cataclysmic, but it is pertinent to

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ask whether, in the long run, they may not be as definite. Since the prosperity of a country depends upon the economizing of its man power, that prosperity must be at least retarded by wasting it.

In the long process of economic competition, the country that economizes its man power through sobriety—even enforced sobriety—may gain as definite an advantage, as in the acute struggle of a great war, over a rival that wastes its man power in drunkenness. The advantage of conserving food may eventually be almost as important in time of peace as it proved to be in time of war.

The money that used to be spent on drink, estimated at $2,000,000,000 annually, did not evaporate as soon as Prohibition was adopted. It continues to be spent, some of it, to be sure, for bootleg liquor. The poorer classes, or the classes that were formerly poor, are not the ones who are spending their money on bootleg liquor; it costs too much. Those who do, do not get so much liquor for their money and are at least so much better off. These observations probably have something to do with the fact that those who once formed our poorer classes are now so much more prosperous than they used to be. To be sure, the restriction of immigration is giving them higher wages than they would be getting if, at the close of the World War, we had opened our doors to the millions of wage workers who wanted to come. But even with our present wage scale, partly offset by our high cost of living, it is difficult to imagine our working people spending so much on other things as they are now spending if the saloon got as much of their money as it used to get, and if they were as frequently incapacitated by drunkenness as they used to be.

One need not stress the number of automobiles and talking machines; they had been increasing before National Prohibition. Even radio sets make such an appeal that the sales would have been considerable. There were always people who did not waste their money on drink. However, some of the money that formerly went for liquor probably goes for some of these things. Social workers state that the ratio of baby carriages to babies is noticeably higher than it used to be in the poorer quarters.

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There is an astonishing amount of building reported, especially of small houses and apartments, but no great increase in the number of palatial residences or expensive apartments.

The most significant figures of all, however, relate to the extent to which laborers are entering the capitalist class. Savings deposits multiplied two and a half times from 1914 to 1924, while the number of depositors increased more than three and a half times. The amount of new industrial insurance per month increased from $61,484,000 to $292,094,000 between 1917 and 1924. The investment of wage workers in the shares of corporations is increasing so rapidly that all statistics are out of date before they can be published. Limited space permits mention of only a few of the more outstanding examples of employee ownership, which may be cited as evidence of the tremendous growth of this movement.[1]

In January, 1925, more than 65,000 employees of the Bell Telephone System were stockholders of record in the company, and more than 100,000 are acquiring stock. On December 31, 1923, the Southwestern Bell Telephone Company reported that more than 5,900 employees were subscribing for 17,496 shares of its stock. In March, 1924, out of a total of 159,000 stockholders of the United States Steel Corporation, 50,020 were employees. The Bethlehem Steel Company, at the beginning of 1925, reports that 14,000 employees have made application for stock under its purchase plan.

The Standard Gas and Electric Company states (1925) that seventy-five per cent. of its employees are stockholders; the Northern States Power Company that eighty per cent. of its employees are owners. Of the total 123,751 owners of Armour and Company and Swift and Company, 55,000, or nearly half, are reported to be employees. Mr. Richard Boeckel in *Labor's Money* cites the following cases:

Ninety-four thousand employees of the American Telephone and Telegraph Company own stock in that company. Employees of the E. I. du Pont de Nemours Company own 14,484 shares of its stock with a total par value of $1,448,400. Six thousand employees of the General Motors Corporation, one out of every

[1] See article by Ex-Secretary David F. Houston in *The World's Work*, January, 1925.

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12 employed, hold 270,000 shares of its common stock, valued at more than $4,000,000. Employees of Sears, Roebuck and Company own 133,300 shares in that enterprise. Seventy per cent. of the workers employed by the International Harvester Company hold common stock in the company, the aggregate value of their holdings exceeding $5,000,000. Practically every workman employed by the Procter and Gamble Company is a shareholder in that company. Ninety per cent. of the employees of the Firestone Tire and Rubber Company are stockholders. Every third man in the employ of the Goodyear Tire and Rubber Company holds one or more shares of stock.

A striking example of the popularity of investment in public utility corporations—which is general throughout the country—is the Philadelphia Rapid Transit Company, whose employees, at the beginning of 1924, had purchased 120,000 shares of its stock, with a market value of $4,200,000, which was one-fifth of the entire issue.

As for the railroads, more than 41,000 employees of the New York Central lines, representing one-fourth of the total number of employees, became stockholders in that company in February of this year. Two months later, 4,889 employees of the New York, New Haven and Hartford road subscribed to bonds in the company to the amount of $857,000.

To cap the climax we have the growth of labor banks to help take care of labor's money. The first labor bank in the United States was established in Washington, D. C., in 1920, and six months later, the Brotherhood of Locomotive Engineers opened a bank in Cleveland. That organization has been most active in the field of labor banking and has more banks than any other single organization. Its late president, Mr. Warren S. Stone, in *The World's Work* for November, 1924, states that of the thirty-three labor banks then in existence in this country, ten were owned by the Brotherhood of Locomotive Engineers.

The numbers of these labor banks is increasing at a rapid rate. They seem, moreover, to be established on sound banking principles and to have the esteem and support of well-known banking institutions. As for their resources, Mr. Stone makes this significant statement: "From the time the Cleveland bank

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was started, we have averaged about a million a month in deposits. This is only one bank. The saving power of American workingmen is so great that, if they would save and carefully invest their savings, in ten years they could be one of the dominating financial powers of the world.''

Any one who attempts to explain all these amazing signs of prosperity among our working classes without mentioning Prohibition seems to me as extreme as the one who would explain them on the ground of Prohibition alone. I can not explain them except by bringing in Prohibition as a contributing factor.

THOMAS N. CARVER.

THE SITUATION WE ARE IN AND THE WAY OUT

BY HORACE D. TAFT

Headmaster of the Taft School

I AM one of those who were opposed to Prohibition.

I believe enormous good has followed the adoption of Prohibition. It has resulted in enormous benefits for the whole country. A man who will consider the overwhelming evidence to this effect may also get some understanding of the fixed opinion of a large part of the American people in favor of Prohibition. He will find the results in a great increase in savings, in the marked improvement of the appearance of the school children from the homes of the poor, in the strong conviction on the part of great employers of labor as to the benefit derived by their workmen, in a great lessening in most of the country of the diseases arising from alcoholism and of the large class of petty crimes connected with the same.

On the other hand, an enormous amount of evil has followed the adoption of this policy. There is no debate on this. The drys admit it and blame the wets for it. The wets not only admit it, but exaggerate it, and blame Prohibition for it. We all know the main features of the picture. We know of the floods of bootleg liquor coming in over the Canadian border and over our coast

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line. We know of breweries that are making real beer and transporting it in large quantities; we know of the home brew and the drinking of poisonous stuff. But, and this is the main point, we know that all of this infamous traffic means wholesale corruption. In the great wet section of the country this corruption has honeycombed the police and detective services and the national enforcement service, and has reached many of the prosecuting officers and, in some cases, the Bench itself.

Now I submit that this question is so vital that it calls on every patriotic man or woman in the country to give his best thought to it that he may think a way out, and, having done so, to follow that way to the end with any sacrifice of personal enjoyment, or, what is harder, of opinions or prejudices. And let me repeat here that I was not a Prohibitionist. I was heartily opposed to the policy. I do not now think that it was a wise way to handle the problem.

What ways out have been proposed?

First, repeal the Amendment. I affirm that no man can think clearly on the subject who dreams of such a repeal. In the first place, though many of us know the constitutional requirements, few seem to realize them. Up in my little village some people talk as though a rousing majority in a Watertown town meeting would repeal the Amendment. What is it that the Constitution requires? First, a two-thirds vote in one house of Congress, an enormous majority, then a two-thirds vote in the other house, then the ratification of the repeal by three-fourths of the States. Twenty-six of the States, or two more than half, adopted Prohibition for themselves before Congress touched the matter, and they are drier today than they were then. But the question hardly needs argument. Most of the wets admit that repeal is impossible.

Let me repeat that you cannot discuss the question with the slightest intelligence until you have absolutely made up your mind that Prohibition has come to stay. This fact rules out nine-tenths of the remarks or arguments which are intended as an excuse for drinking or as a suggestion of a way out. Of what use to cite the example of some Canadian Province, to discuss the beauties of Government monopoly, to discuss the question

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whether the Amendment was "put over", to discuss the advantages of an impossible referendum, if the Amendment is here to stay? We are hunting for a way out and none lies here.

What is the next way? Let us change the Volstead Act so as to permit the manufacture and sale of beer and light wines. The great difficulty is that we live in a hopelessly wet section and unless we study broadly the public opinion of the whole country we have no idea of the situation. You might as well ask a man at the bottom of a well his opinion of the landscape as to ask a New York or New Jersey club man his opinion of the United States on this subject. The man in the well is in a wet section too. The truth is that there is no hope whatever of a beer and wine amendment, for not only is the public opinion of the Nation strong against it, but this public opinion tends to grow stronger.

But much more important than that, a beer and wine amendment would only make matters very much worse. The flood of hard liquor would still go on, the saloon would come back, the beer and wine would inevitably grow stronger, and the honest officials would be hopelessly handicapped. Understand that I am not discussing the question of the harm of drink. I am discussing the vital question of the corruption and demoralization. I can think of nothing so hopeless as our situation if we had a beer and wine amendment. It would be confusion worse confounded. How innocent must those good people be who think that the bootleg trade would be abated in any degree! We should combine all the evils of our present situation with those of the old days. Of course such an amendment would have to pass the courts anyhow. More confusion. The law would have to forbid the making of beer and wine of intoxicating strength. Does anybody care for beer or wine without a "kick" in it? What does a "kick" mean? One prosecutor in Hartford told me that in the old days the great majority of the cases of drunkenness which he had to prosecute came from beer. To a man whose mind is not set on indulging his appetite, but has his eyes fixed on the rotting of our moral fiber, the beer and wine amendment offers no way out. But whether this be true or not, there is absolutely nothing in the manifestations of public opinion to indicate the slightest possibility of such an amendment.

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What is the next way? Let the law become a dead letter. Now there are on the statute books of the different States quite a number of laws that are a dead letter. The Sunday baseball law with us in Connecticut is one. So far as I know it does no harm. The police do not bother about it and are not corrupted by it. The situation is as though the law were not. But how can we possibly make a dead letter of a law when 60,000,000 people are determined that it shall be enforced, when all our politicians and platforms announce that the law is going to be enforced, and, what is more to the point, when a whole army of corrupt officials know that there are millions in the law for them? It is easy to conceive of a situation in which saloons should be open on every corner in every city and in every favorable situation in country towns, with hard liquor, beers, and wines served openly. It is impossible to conceive of such a situation, however, without the corruption of the entire body of officials. These are the men who will not allow the law to become a dead letter as long as it is on the statute book. In that deadly matter of official corruption the law remains one of vast power. The talk about a dead letter law is shallow. It does not touch the root of the trouble. It does not help us an inch out of this morass that we are in.

There we are. I think I have named every possible way out except one, that is, the straight, honest, open way, obey the law and enforce it. But you cannot enforce the law. Why not? Because you cannot enforce a law unless public sentiment is behind it.

Well, for one thing you can obey it. You can stop drinking absolutely and stop doing your share to make a market for the bootlegger. When you have done that you have done at least the first simple duty, the very least that can be asked of a good citizen. The direct responsibility of the drinker for the bootlegger, the responsibility for all the corruption and crime involved, must ever be kept in mind. One cannot dodge it by cursing Prohibition or the Prohibitionists. It is hard to exaggerate the folly of those who either refuse to recognize the dreadful results of the present situation or who, recognizing them, laughingly do their share to augment the evil.

But let us admit freely that a law cannot be reasonably well enforced without public sentiment behind it. There are two things

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to say in this connection. In large parts of the country, even in the wet section, there is more public sentiment in favor of law enforcement than we dream of. I know that this is so in Connecticut, and the last election in Massachusetts shows that even in that State, which certainly cannot be considered dry, a tremendous proportion of the people are outraged by the flouting of the law and the corruption that is rampant. They are eager to know what to do. The chief difficulty in organizing them is finding something concrete for which they can rally. Even in New Jersey the dreadful revelations have brought a day of prayer and eventually must bring a reaction.

Then the women are not yet fully organized. In many parts of the country they had no vote on the Eighteenth Amendment. Of course, they will divide on the question, but taken as a body there is no doubt whatever that they are much more strongly in favor of enforcement than the men are.

The most important thing to keep in mind is that public sentiment is not a fixed quantity. It has changed on many subjects and on nothing more than on the liquor question. There has been a revolutionary change of opinion on this question in the last hundred years. Its continuation for a third of that time will bring a dry world. We must also remember that the remarkable growth of the temperance sentiment during the past century took place without any help from the law enforcement sentiment. Now hundreds of thousands of voters who were opposed to Prohibition or were lukewarm on it are in favor of strict enforcement of the law.

Occasionally one hears in the wet papers of a reaction against Prohibition in this country. This reaction has shown itself in peculiar ways. Each Congress elected since the policy was adopted has been drier than the one before. Except in New York, New Jersey, and possibly Maryland, each election gives the same evidence. Two years ago on a referendum Massachusetts voted by 120,000 majority against a State enforcement act. Last November, in spite of extraordinary efforts and the expenditure of enormous sums on the part of the wets, the people voted in favor of a State enforcement act by 4,000. If we can judge by the course of events in other States, a referendum two years hence

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will bring a large enough majority on the dry side to discourage any further attempts to take the people's opinion on the subject.

We are asked whether we mean to deny a man's right to argue and agitate for the repeal of an unwise law or Constitutional Amendment. I have never heard this right questioned. But every man is responsible for the use of his own judgment. It is easy for a man of ordinary intelligence to follow these propositions one by one. It is his duty in such a crisis to do it. He is only to be blamed if through sheer obstinacy, through bitterness felt toward the Prohibitionists, through a wish to gratify his own appetite, through the moral cowardice that makes him afraid to be different from his friends at the dinner table or at the club, he refuses to follow his reason and make a pitifully small sacrifice in a public matter of vast importance.

Through the change in public sentiment reasonable observance and enforcement of Prohibition are coming in time. It certainly will take many years and they will be years of great moral and political danger. We cannot prevent the completion of the process, but we can shorten or lengthen this unhappy period as we do our duty or refuse to do it. There are two clear, logical answers to the question that comes to every citizen. One is, I will obey the law and help enforce it. The other is, Let the country go to the dogs; I am going to have my liquor. Other answers, no matter how honestly used, are the result of clouded vision and twisted logic.

HORACE D. TAFT.

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IS THE UNITED STATES SURE OF ITSELF?

BY JOHN HUNTER SEDGWICK

NATIONS, like individuals, have their developement which must always reach a stage when it can be asked whether they have attained a mature understanding. I do not ask those who substitute prejudice for thinking to do this, but it will surely be done by those who, whether they find it grateful or not to their personal and national self esteem, are bound to confess that on intellectual candor depends essential freedom. Anticipating and passing by the indignation of those who believe that the King in their own persons can do no wrong, let us ask ourselves whether the United States be quite sure of itself in face of the Scopes case and its by-products now exfoliating in various parts of the country?

As far as the literal aspects of that muddled contest are concerned, so far as its issue is to be regarded, it had but one issue, to wit, whether a certain teacher had disobeyed the prohibition of a certain Tennessee statute. What interests us now is a very much greater question. We need spend no time on what the hundred percenters, theological or political, Anti-Evolutionist or Pro-Evolutionist, may have to say; we can leave the personalities of the late Mr. Bryan and the surviving Mr. Darrow quite out of the picture; we can disengage our affections from protoplasm and our prepossessions from the angels; but we cannot disregard the fact that once a decision was reached in the Scopes case, phenomena were bound to show and did immediately show themselves, demonstrating with shocking clearness that the principle and practice of freedom of conscience and religious liberty are not at all so firmly entrenched in the United States as some may flatter themselves. Going a step further, we see that another spirit, that of persecution, has been merely held in abeyance, not removed or enlightened into tolerance. We see and with deep concern that men in the United States have taken liberty

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too much for granted, mistaking the excellence of a principle for the enjoyment of its practice. They have reaped the usual reward of political laziness and unconsciously allowed themselves to become political nominalists, not doers of a word that must always have the proof of actual benignities. Contemplating this picture, conscience or a sense of humor ought to make us more patient with the Chinese confusion of programmes with facts.

It is a mistake to believe that because a political entity is called a democracy, by some metaphysical hocus-pocus thought in a democracy must be free. It is nothing of the kind, unless the individuals keep it so, and there is little that is easy about such a job. The name of a political system matters nothing; you can declare noble thoughts with a stencil; it is the motives and driving wishes of its elements translated into action that give the name respectability and the system duration. Again anticipating objections, I leave out of consideration certain measures taken in the United States during the Great War. They certainly curtailed some forms of liberty, but in the first place I believe them to have been necessary, and in the second to have been so exceptional that they cannot be taken into a general view of American social and political thought, irritating and ill judged as they sometimes may have been. I call attention to a curtailment far more wide reaching and insidious, the insistence on standardization of every sort in the United States. A man must not wear a straw hat after a certain date; he must not say too loud that the "Fathers" were less than supernatural, though with their imperfections they were giants; he must not object to hysterical or impudent commercial, social and bureaucratic impositions that would not be endured an instant in Europe; he must acquiesce in what a writer the other day called "ingenuity instead of craftsmanship"; he must endure with a moulded smile physical propinquities that are the denial of all decency and all freedom; he must, above all, welcome and submit to a mediocrity of thought appalling in its complacency. Is, then, freedom the right to be one's self, or the privilege of being like some one else? In but one department, money-making, is a man permitted to follow his own genius, and this money-making is even now preparing its own fate.

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This mediocrity is given corporate expression in an extension of the suffrage whose last conspicuous trophy has been the Scopes trial, a trial that could never have occurred without a statute born of vote-expressed prejudice. Such a ball once set in motion must keep on rolling, and rolled it has to such good purpose that now gentlemen in the United States are looking about to see whether Federal laws cannot be passed to steady the ark of true belief. Laudable as this may be according to their ideas of theological decorum, it leads straight, or rather the spirit of it does, to persecution and the reappearance of ecclesiasticism which Bourbon-like has learned nothing and forgotten nothing. It makes no great difference by what name the rose of ecclesiasticism is called—it always smells with the same sweetness; and here is the point which these hot gospellers quite overlook, that aside from stultifying and denying a principle of liberty, they have no means and there can be no means of keeping their operative majority. "To-day for thee, to-morrow for me," is a saying that had best be kept in mind by those with an addiction to regulation. I do not believe that a majority opposed to them but with an equal addiction can be created in the United States, because the people who neither talk nor go to Congress have a great deal of common sense, but it is always a possibility, and should it come to pass, the hot gospellers' own arguments and procedure would immediately be used against them. Those who have engineered this controversy have evidently been of the impression that not only was the earth flat, but that it never moves. They have taken it for granted that their majority must always prevail, and they have quite disregarded a most practical and important consideration. It was stated thus by Sir Frederick Pollock in his essay, *The Theory of Persecution:* "It is not the demonstration of abstract rights, but the experience of inutility, that has made governments leave off persecuting." Here you have two considerations of the gravest kind, one based on the possibilities lurking in the future, the other on the patent experience of the past. Both are ignored by a body of opinion in the United States whose proportions, at any rate at this moment, are beyond what had been supposed.

Observe that the Scopes case and its consequences take place

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in a State and in an Union where what Professor Ruffini calls "separatism" exists as a political principle; that is, where State and Church have nothing to do with each other. There is no "jurisdictionalism" in the United States; the State goes its way and the churches their way, so much in external appearance, at least, that the average American of all creeds takes it for granted that such separation must exist forever. Yet the Dayton prosecution, though technically limited to a single specific point of law, really hinged on the supremacy of a dogma. I do not discuss the various theories of the relations of State and Church; I say that out of a clear sky appears a cloud such as before has made dark whole countries, and this has taken place in the face of a political complacency doing more credit to Americans' hearts than their heads. The fact is that here, as in other matters concerning American polity, we have forgotten that eternal vigilance is the price of the millennium. There are principles and there are men, there are motives and there are deeds; it is only the men and their actions that we see with some measure of clearness so that what they may do can be calculated with approximate correctness. The principles, on the other hand, are always operative and always silent; in consequence of this, the results of obeying or disobeying them often spring upon the world like a clap of thunder; they give no warnings, they are always in the background, and they are always the stuff of great good or great evil.

Ever since Augustine twisted the "*compelle intrare*" of St. Luke's gospel to suit the shifting of theological majorities, persecution has gone on merrily, but the older kind, though subtle enough sometimes, was more plainly articulated than the present. What we see today is subtler, because it seeks to shackle thought as well as action, but conceals its attack on thought; there can be no action without thought, it will always appear, so that to say that teaching the somewhat nebulous tenets of what is called "evolution" is attacked, but that believing in them is not, smells rank of sophistry. Dayton and its by-products expose a state of mind that will never stop at the mere prohibition of certain teachings, because it cannot stop, it must continue to drive in its lopsided syllogism. So much for its intellectual or so-called in-

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tellectual side. Its profane and carnal side is quite as clear; when the pup has once been blooded to such meat, it savors its success and will seek more. This is shown in the steadily increasing reliance on paternalism in the United States as a substitute for individual character. It is a confession of weakness, but triumphant for the time being, and in the results of the Scopes trial we see it developed to the highest degree it has attained in the United States, because it has released for visible exhibition a body of thought that we now see has been lying dormant, but has merely held its activities in leash, not diminished, nor enlightened, but ready to spring out, as it has done. The spectacle has driven *The New York World* to ask whether there is to be a State Church in the United States.

There is not much danger of such a thing, and yet the editorial is well justified as a warning to Americans that liberty of conscience, liberty of teaching and liberty of worship, or if you prefer the general term, religious liberty, may not be nearly so well assured to Americans as they have thought. Furthermore, such a warning has greater importance still, at least to my thinking, for it makes evident what I have tried to show, that there is constantly existing in a fluid state in the body public a mass of opinion that needs but a very slight impulse to crystallize into black despotism, and that Americans have made the mistake of believing that altruistic political pronouncements and material prosperity had reformed or made this impossible. There is no room here to go into history, but its one lesson has been that it is not good for men that they should regulate the opinions of other men. The human character cannot stand such a test and was never intended thus to be tried, whether the regulation be that of religious belief or of any other. The question now before the country is not religious. It is political, for if one form of investigation and the convictions it produces can be regulated or forbidden, any other can be treated in the same way if only there are enough votes to give it the trappings of legality. There can be just as much danger of this from a rationalistic body as from one bonded together by a faith; only the former does not now have the benefits of organization, as Ruffini pointed out. The scientists, so far as they lay down certain conclusions as correct, are

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quite as dogmatic as the flat earth phalanx and discourse as cheerfully and with as final a tone of what they have never seen and can never prove as did Jonathan Edwards in his *Freedom of the Will* on what he could not prove.

The only difference, more apparent than real, between a great Connecticut divine of the eighteenth century and a modern scientist who happens to be laying down his particular laws, is in name. How easily this can be proved is shown in the constant attempts of "regular" physicians to burke the practice of those who do not agree with them, and the more empirical a school, the more zealous, the more enamored of "Thorough". The ease with which the theological melts into the political was shown in Connecticut at the time of the Great Awakening, which was really a reaction born in healthy-minded believers against the regulation by the civil powers of religious matters, "a great schism within the Establishment", as Miss Louise Greene calls it in her book. Moved by the events that followed the Awakening, the Colony convened a General Consociation in 1741, in November. (We see them gathered in that New England November, the wind whipping at the door.) The Consociation did not decide very harshly, but it did say "that for a minister to enter another minister's parish and preach or administer the Seals of the Covenant, without the consent of, or in opposition to, the settled minister of the parish, is disorderly. . . ." True, the Consociation advised the minister of the parish to give the visitor a chance, "unless other ministers advise him to the contrary", but this conjunction of public order and ecclesiasticism is such that it explains the Act of the Colony nine years later which ranked the denial of the Trinity as a felony.

Yet the Connecticut General Court had passed a Toleration Act in 1708. Here is but one of the New England Colonies, but in each one we see that the moment religion and the civil element cast sheeps' eyes at each other, that moment there was trouble. In other words, whether it be a matter of salvation by grace or the selection of species, when men want their own way, they will have it if they can, and find good excuses for it. Americans may have believed that such things were no longer possible;

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they may not have been much acquainted with the State Constitutions or with the Federal, but they have had a general impression that men could no longer be dragooned for their convictions in matters of religion and conscience; this impression amounted to a feeling that the United States could be sure of itself in the premises and that the lamp of liberty could never be snuffed out. And then comes the Scopes case with its *sequelæ* to shake that impression.

Such impression has been without all the reasonableness with which it is credited at present, nor has one to go far back to see that it depends too much on purely secular politics ever to be taken for granted. Miss Greene quotes Lyman Beecher's *Autobiography*, especially that part dealing with matters in Connecticut about 1810; "It was a new thing in that day for the clergymen and laymen to meet on the same level and coöperate . . . The ministers had always managed things for themselves, for in those days the ministers were always politicians." Of course they were politicians when they were given the chance to be, and does any one suppose that the ecclesiastic mind, a mind, by the way, that can be assumed by laymen, has changed? Yet we have assumed apparently here in the United States that constitutional law has changed human nature; 1811 is not many years ago, reckoned in the terms of a nation's life, it is but yesterday, a yesterday that throws its light upon today, but we seem to have ignored it in a desire to prove ourselves the freest and the most enlightened people in the world. Mirabeau insisted that "*les opinions ne se forment pas par le résultat des suffrages; votre pensée est à vous; elle est indépendent, vous ne pouvez pas l'engager.*" I do not at all assert that Congress will immediately embark on the rough sea of regimenting opinion, but Congress depends upon suffrage, and it is plain that there is today in the United States a body of opinion that by no means shrinks from legislation affecting men's conscientious convictions. This proves that Americans are not all so sure of the fundamental principles of our frame of government as they would have it believed, that the United States has yet a long way to go before it gains the power of a serene confidence in the justice of its political professions, and that intolerance that began in religious

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tenets can overnight become still more dangerous because it enlists the civil powers in denying civil rights.

In thinking about this recrudescence of the persecuting spirit and the essential political weakness that it discloses, that is, when regarded from the angle of so-called American enlightenment, the experience of the Old World may here and there give illustrations, but it cannot help us very much, and for this reason: Across the ocean there is either separatism, or jurisdictionalism, or the system of a State Church. In the United States there is the system of separatism, *i.e.*, the State holds itself aloof from all Churches and leaves them to attend to their own affairs as long as they obey the law, so that on the face of things it could not be said that one risked the problems of jurisdictionalism or of the State Church. "Yes," say we to the believer and the unbeliever, the doubter and the flat earth man, "go your ways. It is always within your own power never to be hampered, much less molested. This is a free country, inexpugnably so inasmuch as everybody says it is. True, you must not commit crimes and of course you must trust us to define what is crime—that is only reasonable." But we leave out of consideration something that might be remembered in less sunny communities, that great legislative expressions of policy are the results of largely indirect impulses on the part of the people, a people in America much affected in its political reasoning by the mesmerism of numbers.

Some day the majority's virtues as such will be knocked sky-high like other ponderous myths; but now, even, it is not safe to tell the people that the majority system is only an expedient. This being so, the necessary work of a group with a policy that it would enforce is to prepare the majority, I shall not say to educate it, but rather to imbue it with certain ideas, before ever there is a thought of their expression through the suffrage. Well and good. Now, it is perfectly possible to imbue the elements that coagulated may form a majority with ideas they have not previously had, such, for example, as that they should tell legislators that certain things should be defined as crimes. The trick is done and you have an anti-evolution statute, or one penalizing good grammar or anything else not beloved of obscurantism. You have not created a State Church, you have not expressly or

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formally persecuted, but you have bamboozled the people into setting into motion forces whose impetus is terrible, and you have been careful not to intimate that it may have been somewhat too sure of itself. That would never do.

In this way and by such means a movement professedly aimed at preserving the holiness of Deity becomes one with results that are as follows: In the first place, religion in general is harmed because its dignity is lessened. You may not agree with another and yet admit that his right to hold his opinions is a matter somewhat above a horse case; in the second place, you have put the things that are God's in the ballot-box, you have put spiritual things into the coarse hands of carnality, though you shall have changed no inner convictions; next, you have stultified and contradicted what has been proclaimed to be an essential of American public and private life; and lastly, you have demonstrated that the United States was not yet accustomed to the practice of those principles of liberty which it had asserted to be none too great for its political stature. Why not be candid about it and admit at once for the country's soul's good that the sooner this sinister fooling is stopped, the better? I reckon that in the United States we are come once more to one of the great testing places that have periodically marked our advancement towards political maturity; we cannot afford to surrender what has been slowly and painfully won, for to do that would be to accept a political senility such as Spain's. At this writing, no one can tell what the courts, State or Federal, will have done, but I believe that much more important than anything the courts may do, immeasurably more important, is for us all with a wise humility to admit that events have proved and are proving how great are still the gaps in that structure of justice and liberty of which we have talked so much and about which we really know so little.

Lest I be misunderstood, in the use of the word "ecclesiasticism," let it be made precise that by it I do not mean exclusively the practice and mental habit of a minister or priest alone. Were this to be taken as the meaning, the discussion would become too personal to a class and run the gravest risk of injustice. There are too many good men of all creeds who wear black coats to permit of such a thing. But there is such a spectacle as that

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of large bodies of laymen impressing on minorities their convictions, whether in matters of religion or otherwise, in such a manner that their dogmatic political action becomes virtually the same as that of those professional divines who in the past have instigated what is commonly known as religious persecution. When the ministers and priests do it, it is called persecution, by those who suffer; but when laymen in impressive numbers do it, they always transfer the classification to the sociological or political nomenclature. What has happened in the present case is that impulse has been given to large bodies of laymen acting together to control opinion and to punish the dissident. Boil it down and you have persecution of the rottenest, most insensate kind, more so in a sense than that of clerics, for at least they have technical chapter and verse for the performance, but the laymen have none. It can be more dangerous in a country of democratic forms, because it swaggers in the fallacious majesty of numbers, attaches itself to the national economy like a barnacle, and assumes the hues of constitutionality. It is idle to say that this is exaggeration, because what is before our eyes needs no exaggeration to be marked as a danger and a disappointment.

Is it a throw-back or is it a fermentation in the vast recesses of popular thinking that must take place before the body politic throws off once and forever those poisonous humours, which remaining, that body can never quite win wholesomeness? Must there be enacted in a country overlaid with blessings a political tragi-comedy of proportions to make one gasp; must there be a prostitution of freedom such as was never seen before; must America be shamed before the world? Call these questions criticism run to rhetoric if you choose, but there is nothing rhetorical about facts, and those facts spread themselves out today for all to see in the shape of the attempted creation of popular opinion in some quarters that, unless it be educated or change of itself, may prove uncontrollable. Persecution has a body, but no brains. It is the Robot among men's lusts, proved so a thousand times in the catalogue of the nations and thrown aside by the scarred hands of experience. Americans, so far as I can see, are now given a choice, to accept or reject it,

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their choice being made the more momentous and aided the less because of the intelligence they have most plausibly claimed in great constituent matters of political justice. They have here ready to their hands the chance to write down in the people's book a decree, not of tribunals, but of their own generous intelligence, that religious liberty and the liberty of thinking are more than the phrases of fair weather pronouncements, are safe, assured and indestructible, and are made so because on this point the United States is sure of itself with the sureness of a nation come to man's estate. If it be confessed that such a point has not been reached, confessed, that is, by the development of regulation and restriction, then the United States will have embarked upon the task of re-writing every textbook in the schools and colleges; it will have undertaken the work of recasting, not the natural sciences, but the processes of the intellect; and under the guise of a spiritual objective will have championed a materialism so crass and childish that the Dark Ages will preen themselves at a return of favor. It will have made a god of ignorance and given it prejudices for archangels, the printer's trade will be proscribed, and the Struldbrugs will have come into their own. It must be confessed that even the possibility of such a prospect is a high price to pay for political complacency.

JOHN HUNTER SEDGWICK.

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THE ECONOMICS OF DIPLOMACY[1]

BY ALFRED L. P. DENNIS

DIPLOMACY is today so closely related to business that it is really surprising that few have as yet attempted to speak or write on the Economics of Diplomacy. Here is a subject which confronts every man who is interested in the opportunities offered by foreign loans. The problem of concessions in distant or backward countries is on the desks of men who are professionally concerned in the supply of raw materials such as oil or rubber or nitrates. The banker rejoices at the reëstablishment of the gold standard in Great Britain; the manufacturer watches eagerly the development of a tariff policy; the shipper is affected by the terms of a commercial treaty; and the farmer is grateful for the endeavors of our Consular Service to find new markets for the sale of his produce. Each of these is interested in the relation of finance and commerce to international policies. In short, the Economics of Diplomacy stares at us from the headlines of every metropolitan newspaper.

If we choose at random from the calendar of business which has recently confronted the Department of State, we find in quick succession the extension of the Open Door for equal commercial opportunity in Northwestern Africa and the Near East, as well as in the Far East. Questions relating to loans which have been made to some of our neighbors to the south of the United States, and plans for the financial rehabilitation of backward or distressed countries, crowd the docket. Intricate problems regarding most-favored-nation treatment and shipping and railway rates are involved in the discussion about our recent commercial treaty with Germany. The establishment of the Dawes Commission and the difficult items of reparations and foreign debts all belong to this subject of the Economics of Diplomacy. Indeed, to every taxpayer the adjustment of the international debts owed to us by our recent associates in the World War is a matter not only of dollars and cents, but of far-reaching national policy.

[1] This paper was the Commencement Address at Clark University, June, 1925.

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Thus the successful diplomatist today must be a student of affairs. He must feel the pulse of business and bend his energies to understand the maladies which affect nations that are wracked and torn by the ravages of war or which lie nakedly exposed to the greed of the exploiter and the selfish concession hunter.

Fundamentally such matters of international finance and business policy contain the germs of disputes which may grow in angry fashion to excite furious jealousies and even to provoke war. Today the United States has a peculiar and special responsibility. It is the wealthiest country and potentially the most powerful. It behooves us, therefore, to walk with care along the narrow path of national rectitude lest by a misstep we slip into the abyss of commercial imperialism which is no whit less destructive than that of military imperialism. We are fortunate that "dollar diplomacy" is no longer fashionable at Washington. But a lively and informed public opinion on the Economics of Diplomacy is our best security against both the honest mistakes and the treacherous temptations to which those who guide our affairs are constantly exposed. Our United States battleships are to preserve peace and order rather than to protect dubious concessions or to enforce unfair terms of financial exploitation.

We can well cherish the American doctrine on such matters as we recall the statement of Daniel Webster when he was Secretary of State in 1851: "No man can carry the ægis of his national American liberty into a foreign country, and expect to hold it up for his exemption from the dominion and authority of the laws and the sovereign power of that country, unless he be authorized to do so by virtue of treaty stipulations." Elsewhere I have pointed out the contrast presented by the words of Lord Palmerston when he was British Foreign Secretary at about the same time. It is the classic statement in support of an aggressive imperialism and lays down the extreme doctrine of protection for the interests of British nationals in foreign parts. Lord Palmerston said that British citizens were not "to have that protection only which the law and the tribunals of the land in which they happen to be may give them;" and he continued with his comparison of the citizen of the Roman Empire and the citizen of the British Em-

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pire, saying: "So also a British subject, in whatever land he may be, shall feel confident that the watchful eye and strong arm of England will protect him against injustice and wrong." These are pregnant but dangerous words.

On such lineage was the defence of "dollar diplomacy" made by President Taft in his speech in behalf of policies proposed by his Secretary of State, Mr. Knox. He said that to substitute "dollars for bullets" was "an effort frankly directed to the increase of American trade upon the axiomatic principle that the Government of the United States shall extend all proper support to every legitimate and beneficial American enterprise abroad." Such reasoning might well have led to the use of bullets as the final argument for dollars. This language would not be used by the Department of State today. It is in accord with the principles which are acknowledged, but the administration and interpretation are different. President Roosevelt, on the contrary, had already stated the true American position when he said: "Except for arbitrary wrong done or sanctioned by superior authority to persons or to vested property rights, the United States Government, following its traditional usage in such cases, aims to go no further than the mere use of its good offices." To such ideas the Department of State today holds faith, refusing to be drawn into the entanglements of a merely selfish commercial and trade policy. The question as to "who owns the earth" is as yet unanswered, but as Secretary Hughes recently said: "International relations proceed upon the postulate of international morality." The Economics of Diplomacy, and the study of such international relations, as President Wilson once declared, are not "mere questions of policy and diplomacy, they are shot through with the principles of life." Such affairs are problems of high morality and of national character. And be it remembered that a nation's as well as a man's character is not a mere matter of report. It is a matter of fact.

So first of all we must turn to note the homely, practical ways in which in legitimate fashion the Foreign Service of the United States is concerned with the promotion of trade. Here I prefer to take concrete illustrations of the way in which American Consuls are aiding the development of business. This they do by

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their reports on economic, commercial and trade conditions. Their replies to letters written from America open up new channels for enterprise and investment. Opportunities for special sales and purchases are noted and in case of trade disputes the Consul is always ready to seek equitable adjustment and settlement. He tries by his contributions to the World Trade Directory, which is established in the Department of Commerce, to give not the "credit rating" of firms in the given country where he is stationed, but a real "sales picture" of the country for the benefit of American business men. Lastly, the greeting and guidance which he gives to American representatives who are travelling on commercial errands is of special value. Such work is part and parcel of his office.

Thus within the past year out of a long list of exceptional services, I select at random only a few instances of the promotion of American trade interests by members of the American Foreign Service. For example, the Consul at Alexandria has stimulated orders for artificial leather and procured allotment of one-half of the annual Egyptian cotton crop for shipment on American vessels. Previously the entire crop had been shipped in British bottoms. The sale of American machinery and of tools has been promoted by the Consuls at such widely separated posts as Jerusalem, Harbin, Cairo, Durban, Georgetown in British Guiana, Adelaide in Australia, Hankow in China, Cape Town in South Africa and Venice in Italy. Annoying trade disputes were settled at the intervention of the American Consuls at Rotterdam, Havana, Pernambuco and Mukden. The automobile trade is indebted to the good offices of the Consuls at Nagoya in Japan, Riga, Hankow, Montevideo, Coblenz and Copenhagen. American lumber is in demand at Algiers, Ghent, Melbourne, St. Gall in Switzerland, Las Palmas, Montevideo and San José in Costa Rica. Our agricultural products have also found special markets in Rotterdam, Vienna, Bergen, Boulogne and Antwerp. All of these opportunities have come through the vigilance of our Consuls in their various observation posts.

This sort of trade development is the real basis for the promotion of international friendship. It is one of the humble yet most important phases of the Economics of Diplomacy. The

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day has gone when the American Consul can be considered a joke. He is now the pilot for trade.

The adoption and maintenance of the Open Door is another illustration of the same subject. In July, 1921, Secretary Hughes wrote to the Chinese Minister at Washington assuring him of the wholehearted support of the United States for that principle "which it has traditionally regarded as fundamental both to the interests of China itself and to the common interests of all powers in China, and indispensable to the free and peaceful development of their commerce on the Pacific Ocean." Accordingly the Open Door was adopted as a leading principle in the treaty relating to China signed at Washington in February, 1922. This not only declared against any special superiority of rights by any single nation in China, but denied any monopoly or preference which would "frustrate the practical application of the principle of equal opportunity." Thus as Mr. (Lord) Balfour stated, the sphere of influence "had not only gone but had gone forever and was now explicitly condemned." Such clear and definite provisions ended a period during which the Open Door had been a polite fiction. They also cleared the way for the assertion of the same principle regarding mandated territory.

At the Council of Algeciras in 1906, when France and Spain had received a special mandate for portions of Morocco, the same idea of equal opportunity for the commerce of all nations was asserted under the leadership of the United States. After the World War, the same principle was also followed with respect to Tangier and in other African territories. More particularly, as regards the Near East, the Department of State early made clear the American policy regarding territories which had once belonged to Turkey. A note of March, 1920, stated to the Allies that it was the view of the United States that "such changes or arrangements [as might take place] will in no way place American citizens or corporations or citizens or corporations of any other country in a less favorable situation than citizens or corporations of any Power party to this treaty."

So much has already been said and written on the Open Door and it is such a familiar doctrine to us that I pass now to a more intricate problem—that of commercial treaties with their rela-

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tionship to the mercantile navy and to railway and shipping rates. Dr. Arthur Young, Economic Adviser in the Department of State, has recently declared that "the present commercial treaties of the United States are mostly obsolete." This is partially due to the fact that these older treaties were based on conditional interpretation of the most-favored-nation clause. Today, however, under the Tariff Act of 1922 the unconditional most-favored-nation clause is involved in the administration of the law. The recently appointed United States Minister to Rumania, Mr. W. S. Culbertson, formerly of the United States Tariff Commission, has just written an admirable book on *International Economic Policies* in which he discusses the various aspects of our policy respecting commercial treaties. He thus defines the difference between national and most-favored-nation and "conditional" and "unconditional" treatment:

> National treatment guarantees equality of treatment between an alien on the one side and a national on the other. That is, with respect to the matter in question—let us say that it is the right of ships to enter our ports—the alien would pay no other or higher duty than would be paid by an American citizen. In the case of most-favored-nation treatment, a third nation is involved, and most-favored-nation treatment is the absence of discrimination between the citizens of two alien states. The conditional form of [treatment] recognizes and records a distinction between *concessions gratuitously made* and *concessions made in return for an equivalent,* whereas the unconditional form names no conditions or circumstances limiting the immediate and automatic extensions of any concession. The unconditional most-favored-nation principle may be adopted as advantageously by a country with a protective tariff as by a country with free trade. Like the analogous policy, the "Open Door," it does not imply the absence of tariffs but the absence of discriminations in whatever tariffs or other commercial measures a nation may see fit to adopt.

If we examine the situation as to shipping, we find that discriminations as to import duties, internal taxes, transit duties, charges in respect to warehousing, bounties, tonnage dues and port charges are all possible unless we secure agreement for equal treatment. As a means of creating a competitive situation favorable to American as compared with foreign vessels, it has been advocated that the United States impose higher dues and charges on foreign vessels or their cargo entering American ports than apply on American vessels. Such a step might be followed

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by counter-discriminations by foreign countries. Further, such counter-discriminations might not be confined to American shipping but might be directed against American commerce as well.

As Mr. Hughes recently said in the course of an address before the Chamber of Commerce of the State of New York:

> It might be well enough to sharpen our knives against those who discriminate against our shipping, but this would be merely to force an agreement for equal treatment for our own ships. When another Government is willing to agree with us to give reciprocally equal national treatment for vessels in foreign trade, we should be willing to make a like agreement. The policy of discrimination in such matters in order to force an agreement attains its end when agreement for equal treatment is reached. But a policy of discrimination for its own sake, with knives out all over the world, of unending strife to see who can make the most by discriminatory charges and retaliations, would be, as it seems to me, a fatuous policy for us and destructive of the interests of American trade.
>
> It is one of the fallacies of those who oppose such clauses as have been inserted in the German treaty that discrimination in favor of our own shipping would have to be met by the same sort of discriminations that we might impose. Manifestly, there could be resort to any practicable kind of retaliation, and nothing that we could do would be more hostile to the general interests of peace, for these interests do not prosper in economic wars. We should aim at the removal of all unjust discriminations against our commerce and seek to make commercial treaties on that basis, with the readiness to promise for ourselves what we would ask of others.

Similar considerations were probably in the mind of Admiral Palmer, President of the Emergency Fleet Corporation, who, in a recent address before the annual meeting of the United States Chamber of Commerce, said: "Government aid based on the principle of flag discrimination on international routes inevitably invites and brings retaliation. The immediate effect may be advantageous, but the result in the long run is likely to be bad."

The force of Admiral Palmer's statement is revealed by the fact that the value of our exports to the important maritime nations which might be diverted by retaliatory measures to foreign vessels are very much greater than the total volume of our imports which could readily be diverted to American vessels by our own discriminating duties. The victory of those who believed that, in respect to the Panama Canal tolls on shipping, the United States was not entitled to discriminate in favor of its own vessels, had

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a wholesome effect on international relations. Today the ships of "all nations" receive equal treatment. Thus our treaty obligations and our present commercial policy are at one in this matter.

A further aspect in which vital developments relating both to finance and diplomatic policy are involved is foreign loans. It is estimated that today over nine billion dollars of American money is invested in this way by private banks. Government debts are in another category. This shows that American bankers and investors did not accept the dictum of Congressman Fordney, the reputed sponsor of our present tariff, when he said: "An American dollar invested abroad is an American dollar lost." Such ignorance of the elements of international economics does not mean *per contra* that every dollar so invested is absolutely safe. The charge is frequently made that American armed forces "have been used for the collection of American debts, that loans by American bankers involve somehow the commitment of this Government to use force if necessary in collecting them, and that the Government of the United States follows a policy of financial imperialism. . . ."

Whatever may have been our national policy in time past with respect to such matters, it is quite clear today that, as President Coolidge said last October: "American investors receive no assurances that their loans or agreements will be supported by American arms. It is not, and has not been, the policy of this Government to collect debts by force of arms." Secretary Hughes repeatedly made it clear that the aim of the Department of State was "not to exploit but to aid."

"Dollar diplomacy" is no longer in vogue at Washington and attempts to charge that the Department of State is consciously trying to promote certain financial interests fall to the ground. The Department cannot, of course, control the ways in which investments are made. But the flotation of foreign loans in the United States is a matter of public concern and may be of national interest. President Roosevelt used to say that the Nobel Peace Prize which he received for his services in promoting the Portsmouth Peace Treaty between Russia and Japan should have gone to the banking house for their refusal to loan Japan any more money. Ambassador Houghton speaking in London has

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recently suggested that American financial aid to Europe might cease unless European nations composed their differences and refrained from further expenditures for warlike preparations. The Department of State has also clearly indicated that it wants to know all about any contemplated loans, though the Department "will not pass upon the merits of foreign loans as business propositions, nor assume any responsibility whatever in connection with loan transactions."

The Department wishes, however, to have the opportunity of saying whether "there is or is not objection to any particular issue." Such objection might arise from the purposes of the loan or it might arise should the American capitalist ask unfair terms. More than once the Government has intervened to protect the borrowing country from the terms of a concession or of a loan which seemed to be unfair to the borrowing country. Of a kindred nature are the proposals for the financial reconstruction of given countries. Frequent requests come to the Department for advice as to the choice of experts to assist in the financial restoration of a State. Such advice is freely given to assist in the economic rehabilitation of a less fortunate nation. These experts, however, are private citizens who are employed by foreign nations and are not in any way in the employ of the United States.

We all recognize the value of the work done by the Dawes Commission; but the question still remains as to how it came into being and how the relationship between business experts and official diplomats was maintained. All sorts of people are now claiming the credit of having proposed such a solution. Indeed a distinguished European statesman wrote to Washington to congratulate the Secretary of State on his achievement in taking up the proposal which our European friend alleged that he had originally made. Far-reaching proposals of this sort generally have a mixed origin. Certainly this was true of the Dawes Commission. In June, 1922, an international bankers' committee reported to the Reparations Commission on the question of a German loan. Generally speaking, the findings of the committee were negative in character.

However, as a body of technical experts they presented an

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authority which could be applied to the solution of other and larger questions. Mr. J. P. Morgan sat on this committee, representing American financial interests. Later, Secretary Hughes formulated the proposal which finally led to the organization of the Dawes Commission. Informal intimations were made to several governments regarding the plan. At last in December, 1922, at New Haven, Secretary Hughes made public announcement of his scheme, stressing its importance as a possible remedy for the economic ills of the world.

There followed an uneasy and disappointing time during which nothing happened. In March, 1923, there came the meeting at Rome of the International Chamber of Commerce. This congress passed a resolution dealing with the various outstanding economic questions of the day, thus supporting the thesis that technical business experts might assist in an economic way to promote peace and to secure the political restoration of the world. Thanks to the arduous work of the American delegation, the idea of an expert commission on reparations was also laid before the leading business men of Europe. This missionary work of propaganda was followed by a suggestion in August of that year by Lord Curzon that such a commission might be organized. Finally in October, 1923, the British inquired whether the offer proposed by Secretary Hughes in the preceding December was still open. The answer was in the affirmative. So at the start of 1924 this committee of three American business men, who held no political office, was appointed to sit with European experts and to formulate a plan to deal with reparations and the financial rehabilitation of Germany.

The report of this Commission was finally officially adopted by the European Governments concerned at the London Conference in August, 1924. The United States was in attendance through the presence of Ambassador Kellogg. Thus this full coöperation of business and diplomacy presented a result of inestimable value to the peace and financial security of the world.

The settlement of debts owed by foreign governments to the United States is now a matter of discussion. Though it is a subject falling well within the limits of this paper, I think it is wiser to omit any comments regarding it in order that we may turn

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finally to the development of what the press has popularly termed the *entente cordiale* between American and English banking circles. This has received special notice through the reëstablishment of the gold standard by Great Britain.

The attempt has been made to declare that for a considerable period British and American financial policy has marched together. This is not exactly true, for each of these countries has been affected by varied elements in the international financial situation. The effect of the damage done by the war and by strikes to the export of coal from Great Britain has dislocated British foreign trade. In the case of the United States the fear that France was returning to a period of renewed militarism has affected our financial opinion. Both of these examples acted in much the same way to make it appear that there was a joint understanding as to finance. The reasons were separate, but the results were similar. Certainly this alleged *entente cordiale* does not prevent friendly competition between the two countries.

Nevertheless there is no question today that an understanding exists between the two official or semi-official banking agencies of Great Britain and the United States. The Department of State is on the contrary justified in denying that an *entente* officially exists. It is not a diplomatic understanding. But on the other hand, neither is the Department of State the entire Government of the United States. The Federal Reserve Board and more particularly the Federal Reserve Bank of New York is a governmental agency acting under Secretary Mellon. The Bank of England is distinct from the British Foreign Office, but who can question its importance or its functions as a financial agency of the British Government?

The British Prime Minister, Mr. Baldwin, said some time ago that he would trust Secretary Mellon and J. P. Morgan and Company as he would the Governors of the Bank of England. Morgan's is, of course, acting as the fiscal and financial agent in this country for the British Government. It is under the arrangements made by the Bank of England through Morgan and Company with the Federal Reserve Bank of New York that the reëstablishment of the gold standard in England has been made possible. These negotiations have been going on for some time. They

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culminated with the announcement by Mr. Winston Churchill, the British Chancellor of the Exchequer, of the removal of the embargo on the exportation of gold and of the reëstablishment of a free gold market in London. A revolving credit of two hundred million dollars was set up in the Federal Reserve Bank of New York and one hundred million dollars with J. P. Morgan and Company to assist in maintaining the gold standard in case it were necessary. It is probable that the fact that such a credit is available will prevent any large demand for its use.

The Advisory Council of the Federal Reserve Board has heartily endorsed this assistance, saying:

> This event marks an epoch in the financial history of the post-war period. It means that the time has definitely come to an end when the world seemed to waver between monetary systems frankly bottomed upon gold on the one hand and fluctuating exchanges and so-called "managed currencies" on the other. . . . For the United States this development is of the vastest importance. . . .

The international air has been cleared by this step. Economics and diplomacy have gone hand in hand; and the result is a fresh bond making for peace and for national security. The British Ambassador at Washington recently expressed the thought, that in addition to "hands across the sea" our Anglo-American relations are now based on "goods across the water." Thus we see that amidst the intricacies of international relations the hard common sense of business has its place.

We must, however, remember that "man does not live by bread alone." There are the spiritual values as well. "Without a vision the people perish." If economics or diplomacy fail to realize the eternal verities which guide nations along paths of honor and honesty, they both become as tinkling cymbals for the dance of death. The power which they represent today may be swept aside. The ancient sacrifice of an humble and a contrite heart remains.

ALFRED L. P. DENNIS.

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THE NEW "BREAK-UP" OF CHINA

BY HAROLD SCOTT QUIGLEY

LORD BERESFORD's term has become familiar as having presaged, nearly a generation ago, the impending partition of China among the Powers. Today that contingency is not feared but another apprehension, resulting from the movement for provincial autonomy, has taken its place. So significant has the autonomy movement become that the capital is no longer competent to speak for all China. The situation gives rise to the fear that this more and more marked tendency may culminate in the "break-up" of the Republic into a number of independent areas that may in time declare themselves and receive recognition as new States.

The prevailing attitude of the Provinces did not spring full-blown from the revolution by which China became a republic. Under the Imperial Government there were very clearly marked aspects of federalism in the relation between the central and provincial agencies of administration. The characterization of Manchu government given by W. F. Mayers has become classic: "The central government of China, so far as a system of this nature is recognized in the existing institutions, is arranged with the object rather of registering and checking the action of the various provincial administrations, than with that of assuming a direct initiative in the conduct of affairs. . . . The Central Government may be said to criticize rather than to control the action of the twenty-one provincial administrations, wielding, however, at all times the power of removal from his post of any official whose conduct may be found irregular or considered dangerous to the stability of the State".

In letter monarchical China was a unitary State. Legal instruments ran in the name of the Emperor, and the people thought of China as one magnificent and supreme whole. The officials were imposed upon them from above, their participation in the forms of governmental action was limited to village life, they were

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accustomed to thinking of government as a specialized business which the mandarins were paid to do and which they, the "stupid people", would be great fools to worry about. The officials were, under ordinary circumstances, completely subservient to the imperial will, even to the point of accepting with submission the silken cord which commanded self-destruction. The most minute regulations for the guidance of the whole hierarchy of administration had been laid down through successive dynasties, and the principal function of the Central Government was to assure the observance of these rules.

On the other hand, the quoted statement of Mr. Mayers is well sustained by the facts that lay beneath the surface covering of regulations, appointments, and the vague popular idea of unity. One authority, in explaining the survival of the façade of Manchu absolutism after the great supports of that dynasty had dropped out of the structure, makes the startling but demonstrable statement that "not only has there never been any absolutism properly so-called in China, but . . . apart from the most meagre and inefficient tax-collecting and some rough-and-ready policing in and around cities, there has never been any true government at all save what the people did for themselves or what they demanded from the officials as a protection against one another". Geographical *force majeure* rendered it impossible for the satraps of a government several weeks' or months' journey distant to show other than sincere regard to the prejudices of the areas within which they, outsiders, ruled. Only feudalism could have maintained autocracy in China, autocracy, that is, of the feudal lords, which would have meant another type of provincial autonomy. But feudalism had disappeared in China before the Christian era.

The Imperial Province was therefore not a satrapy in which people of an inferior race were ruled by despots in little supported by military force, but at its best an aristocracy, at its worst an oligarchy, the expanded social polity existing in the smaller units, the village, town and district. The business of government was not extensive nor highly organized. It was administered, outside of the village, by centrally appointed officials; but it is to be recognized, on the one hand, that they took their cues—politically speaking—from the elders of the gentry class, and on the other

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that the officials themselves were largely men of the same class who were by training sympathetic with the localized but benevolent attitude of the people among whom they were but *primi inter pares*. They were concerned to interpret local sentiment to the throne and to conduct themselves so as to avoid criticism from either throne or people. Assured of the customary contributions of sycee and grain, and unannoyed by petitions against injustice, the court was not inclined to interfere with provincial or local government.

It was largely the breakdown of the Manchu financial system under the strain of civil and foreign war and foreign indemnities that destroyed the dynasty. The breakdown was preceded by the imposition of a new tax, *likin*, levied on the transportation of merchandise within the country, which proved easily susceptible to gross manipulation, and by efforts to increase the land tax. Both of these expedients for providing the funds to meet hitherto unknown demands operated to arouse the latent antagonism of the Provinces to any measures designed to interfere with the regular current of their economic life. Provinces resented also the efforts of the Central Government to control the building of railways and the granting of concessions for other types of development, all of which offered new opportunities for profitable business and additional sources of "squeeze". In the words of Mr. J. O. P. Bland: "At an early stage . . . it became clear that the patriotic agitation against the Central Government's foreign loans was nothing more than an expression of the Provinces' determination to handle their own railways and railway finance." The influence of provincial sentiment is illustrated by the case of the Chekiang railway, in which the Central Government was constrained, after a prolonged endeavor to handle the construction of the line, to turn it over to the provincial authorities and to hand over to them the proceeds of a foreign loan to dispose of without supervision. When the Central Government proceeded, in spite of provincial opposition, to enter into the Hukuang loan agreement for railway construction, in which revenues in Provinces to be benefited were pledged as security, revolt became flagrant and took the form of anti-dynastic agitation, contributing materially to the success of the Republican movement.

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The Republican Revolution in 1911 gave the finishing blow to the nice balance of forces by which the old Chinese State had been held together. Heaviest among the imperial balance-weights had been the institution of monarchy,—ancient, splendid, powerful,—sustained by the Confucian rules of *li* or propriety which inculcated toward the Emperor that attitude of obedience made obligatory by the same rules in the son toward the father. It was not a slavish relationship thus commanded but a healthful obligation to respect the ruler so long as he respected the "mandate of Heaven". With the downfall of monarchy the classics no longer applied. They contained no parenthetical alternatives to which a President or a Parliament might point. Henceforth the ties with the Central Government, which, it has been pointed out, were at best largely formal and ceremonial, might be disregarded.

Only second in importance to the Emperor had been the Mandarinate. This unspecialized but highly educated bureaucracy was a cement well adapted to the strain of holding together the huge elements of the imperial structure. It had fallen before the attack of Western ideas a few years before the Republic was proclaimed. With it went the ocular evidence of a supposedly unitary state, as well as the assurance that magistrates and governors, if often corrupt, would be men of learning and ability. Where in China were men of the calibre of Li Hung-chang, Chang Chih-tung and Tseng Kuo-fang to come from if not via the old route of the ancient philosophy, history and literature? It was bound to be a long wait for men of equal capacity to be developed by the new educational process. The new mandarin would require a double measure of tact to secure himself acceptability. Meanwhile the bars were down to the place-hunters who would do the bidding of any man powerful enough to patronize them.

With the coming of a Republic the Provinces were left temporarily to their own resources in the selection of officials. During the revolution a number of Provinces had gone so far as to declare themselves independent republics. Particularly among the southern Provinces there was bruited the idea of federation. Kiangsu and Chekiang adopted provisional constitutions as a step in that direction. In the first session of the National As-

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sembly the Kuomintang, Dr. Sun Yat-sen's party, ardently supported the project to write the federal system into the draft of the "permanent" constitution. These men were moved by political and economic considerations. They wanted the power and wealth that official position would give, some of them were at that time sincerely anxious for reform along democratic lines, and they desired to direct railway and industrial development projects into provincial hands, mainly for two reasons: they objected to having the central officials pile up illegitimate riches at their expense, and they were opposed to the supervisory terms which foreign banks were insisting upon in return for loans.

Of a somewhat different type and attitude from the Kuomintang politicians, but tending in individual instances to shade into them, were the *tutuh* or military Governors that appeared upon the scene in a number of Provinces when the old Viceroys and civil Governors fled. These men were self-constituted as a rule, whether or not the form of election by some representative body was gone through. Their military character has been somewhat over-emphasized, as Mr. Bland has pointed out. He says very truly: "The real article is . . . generally a sleek Confucianist scholar up to date, a slim and subtle intelligence, coldly calculating and quite ruthless, who uses men and money with consummate ability." Possibly Mr. Bland has over-stated the case on the other side, since some *tutuh* have been generals in fact as well as by adoption of the appropriate title and uniform, and some of them have been very ignorant men. Their methods of political action have in all cases, however, been those of intrigue and bribery wherever possible in preference to fighting. It is upon these men that the principal responsibility for the present divided China rests. Three times their titles have been changed, first to *chiang-chun*, later to *tuchun* and again to *tupan*. The latter title has not come into common usage, and today they are generally known as *tuchun*. Under any title their actions have been determined by opportunism rather than principle. They have built up their own armies, denied the regularly apportioned share of provincial revenues to Peking, seized railway and salt funds, and entered into alliances with other *tuchun*. In their own Provinces they have used the revenues to intimidate the people with nondescript

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armies and to corrupt their representatives in the Assemblies. Very little money has gone into education or economic development, and foreign capital has been driven away by lack of security and in fear of assisting the dissolution of the State.

The era of Yuan Shih-k'ai, 1912–1916, was a period of comparative success on the part of Yuan himself and those *tuchun* and politicians who supported him, in the effort to defeat and destroy the federalizing tendencies. It may be said, however, that the methods used during that period intensified the latent resentment against actual autocracy and that, as a result, with the death of Yuan the process of crumbling became more rapid. Yuan saw as the only immediate re-stabilizing force the return of monarchy and attempted to act upon the premise, but failed, in part because of revolt in the southern Provinces, in part through the objection opposed by certain foreign Powers. But while he lived he controlled the country. This he accomplished by establishing in all Provinces Governors whom he had trained to war and who felt toward him something of the respect and regard of pupils for a teacher. He dissolved the National and Provincial assemblies in which the dangerous discussion of parliamentary and federal government had been rife. He sought to restore a type of civil service examinations resembling the old classical ordeal, but time failed him. He was an experienced politician and used the accepted devices of bribery, nepotism and violence each in its appropriate setting.

Since Yuan Shih-k'ai's death the influence of his ideas has lived on in the leaders of the military groups called, respectively, the "Chihli Clique" and the "Anfu Clique". These groups were made up of Yuan's former subordinates and, whatever their jealousies and disputes, they have sought to reunite the country after their own fashion. These men hold the provincial governorships, civil as well as military. Their major difficulty has been evident in their inability to hold together without Yuan's firm leadership. Year after year has shown additional breaks, cliques within cliques, until at present the attempt to discover a regular, recognized administrative relationship between the Central Government and the Provinces would be fruitless. Instead the situation exhibits, paradoxically, a tendency on the part of the *tuchun* to

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drop out of the struggle for centralization and to make themselves comfortable in their own Provinces. This policy has its perils in that their neighbors may combine to oust them. Hence the unfortunate necessity of alliances and armies, of preparedness not only to protect oneself but to support the arms of some more ambitious colleague. Among all China's Provinces one can point to but one, Shansi, in which the Governor has been continuously successful in the policy of "live and let live". But no other Governor has made the determined efforts for success that have distinguished the administration of Governor Yen.

Returning to the Kuomintang as the organized spokesman of federalism, it is apparent that the determination of this group had increased under persecution. When the "Old Parliament" reassembled in the summer of 1916, the debate was resumed. At this time Premier Tuan Ch'i-jui, supported by a second political faction in the Assembly, the Chinputang, opposed the movement to write the principle of division of powers into the permanent Constitution. Although the knowledge of federalism had been disseminated widely by the newspapers, there still existed considerable apprehension regarding its possible effects. Nothing had been accomplished by its supporters before the second forcible dissolution of the Assembly in 1917.

It was from the date of this second arrogant and unconstitutional rebuff that the federalist movement, as a quasi-popular rather than a group programme, moved from the national to various provincial capitals. The centres of greatest interest and effort were Hunan and Chekiang. The movement underwent a change of emphasis in its transfer from Peking to the Provinces. The idea was mooted and became the topic of general discussion that a federal Republic could not be built up out of unrepublican Provinces. The conclusion drawn was that the Provinces must first frame constitutions of their own, regardless of Central Government objections, and work out the application of democratic principles at home. When this process had been extended and proved successful throughout the whole country, the bane of militarism and political corruption would have been rooted out and a national Government could be formed with the powers appropriate to it. Back of this sort of opinion, which was mainly win-

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dow dressing, lay the old sentiment for non-interference in economic matters. The important fact was that the mercantile and land owning classes, the same men who had caused the revolution, were again making their influence felt. In several Provinces constitutions were drafted or discussed.

To attribute any considerable significance to these provincial constitutions as organs of government would be to substitute enthusiasm for facts. Only one, that of Hunan, is even supposedly in operation. Chao Heng-ti, the civil Governor, received his election from the people. He was opposed by several other candidates and the "regular" election methods of bribery, intimidation and even assassination were used. There is no *tuchun* in the Province but the civil Governor is Commander-in-Chief of the troops, which amounts to the same thing. However, there is no doubt that the Hunanese consider themselves much freer in their relations with the Governor and with the Governments that come and go at Peking, now that they have with impunity made a formal declaration of independence.

In the third session of the "Old Parliament", which followed the victory of the Chihli clique over the Manchurian Governor-General, Chang Tso-lin, in 1922, the supporters of federalism were apparently successful in writing their theory into the "permanent" Constitution. Provision was made for division of powers and Provinces were authorized to frame their own "self-government laws". But if this be federalism it is federalism very much diluted, since national power is rendered capable of extending over well-nigh the entire field of government and a chapter is devoted to outlining the structure which the Provinces are required to incorporate in their constitutions. On the other hand, it would be practicable for the national Government, by refraining from action in the field of concurrent power, to accommodate itself to the self-government ambitions of the Provinces.

As the result of the latest major episode in China's politico-military evolution, Wu Pei-fu, the Yangtze militarist, was supplanted as the power behind the executive by the Governor-General of Manchuria, Chang Tso-lin. The President, Ts'ao K'un, awaits his fate in prison, and Tuan Ch'i-jui, dean of Yuan Shih-k'ai's military heirs, has been declared Provisional President.

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The manœuvers by which Wu Pei-fu was overthrown recall the fate of Yuan Shih-k'ai. On the eve of success both men fell because of the jealousy of subordinates and the tremendous difficulty, over so large a territory, of spreading men and money thickly enough to overcome the localism of the more remote or more self-conscious Provinces. The programme which the new masters of Peking have published is that of unification by agreement. It is as yet too early to appraise it save in terms of their past records, which would suggest yet another effort to unify the country by military methods.

Concluding, it will be recalled that the Provinces have long been accustomed to self-government and that it was the encroachment of the national Government upon their accustomed sphere of activity that led to revolution. Provincial resentment hinged, however, not upon political theorizing but upon jealousy for economic well-being. Order has not been restored because self-seeking military and political bosses have seized the opportunity given by the dissolution of the monarchy to strive with each other for power. The problem of the re-settlement of relations between Peking and the Provinces is not a question of constitutional government or administration but of a particularly complicated and unsavory type of factional politics. The rank and file of Chinese have no interest in this strife but would accept any sort of government that would take account of their customs and welfare.

This is the fact that is tending toward the break-up of China. It is apparent in Hunan, in Kuangtung, in Chekiang, in Szechuan, in Manchuria and other regions. It is an under-current of gentry sentiment beneath the more obvious swirls in the political stream. The land owners and merchants, the bankers and manufacturers, the silent but effective classes, are seeking a way to prosper and the route they are choosing appears to be that of provincial or regional independence.

The break-up of China into Provinces or regions has happened before with the overthrow of a dynasty. After a period of civil war a new dynasty has been established and the segments of the dragon have been fitted together again. There is a more or less general inclination at this time to look for a "strong man". Not improbably such a man will appear. Yet already several such

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men have tried to help history to repeat herself but have failed. What the evidence points toward now is the tendency of a number of the *tuchun* to be satisfied with provincial power, to regard their Provinces much as the middle class is regarding them, as areas for local development with which outsiders should not interfere. There is apparent a convergence of aims in the military and financial groups which may create a very strong alliance of forces.

It is conceivable that this may lead to a fairly general realization of the futility of civil struggle and an attempt of a more sincere nature than any hitherto have been to unite the many factions through conference and agreement rather than by military force. Such a settlement would need to recognize that the Provinces have been in the past, are today and must of necessity remain, if they are to continue as units of the Chinese State, largely self-governing. The Central Government must be content with restricted powers, confining itself to the conduct of foreign relations and such other functions as the Provinces are willing to entrust to it. To be strong the Central Government need not possess a wide scope of functions. Far better that it should exercise those it has with the cordial support of the Provinces.

Finally, one must in any country, and particularly in China, give attention to the cultural aspects of nationalism as a powerful influence in overcoming separatist political tendencies. Culturally China has not broken up and the attack upon her classical civilization seems to have become rather shame-faced and to incline toward an atonement which shall reinvigorate it rather than weaken or destroy it. Deference to her universal culture is an ever-present element in the activities of all classes of her people. *Tuchun* and Assemblies may assert independence stoutly, but what they seem to mean is independence of each other, not of the mother of them all. The family system, the ethical precepts, the customs immemorial, racial similarity, the common literature—these are the real uniting forces in China. It is difficult indeed to imagine a people thus held together becoming separated permanently into independent political units.

HAROLD SCOTT QUIGLEY.

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JOHN RUSKIN TO RAWDON BROWN—I

THE UNPUBLISHED CORRESPONDENCE OF AN ANGLO-VENETIAN FRIENDSHIP

BY PAUL KAUFMAN

I DO not look to my correspondence as a duty to be performed, but as the very best mode of entering society. Surely time is generally ten thousand times more wasted in the commonplaces of the tongue, than in selecting such pieces of our mind as would be glad of sympathy, and folding them in the sheet of paper for our friend. If I like a friend at all I like him on paper.

Thus, writing to a college friend at the age of twenty-two, did Ruskin formulate a theory of epistolary friendship which he was to carry through with untiring enthusiasm for over fifty years. Endowed with a nature overflowing with affection and with eagerness to express itself, he had many friends and he "liked them all on paper". Once he told Norton that he was writing fifteen to twenty-five letters a day—a slight matter for the modern business man surrounded with stenographers and dictaphones, but a creative achievement of some magnitude when one has, like Ruskin, something significant to say. The result was a correspondence which in extent, as well as in abiding worth, can hardly be equalled in the nineteenth century. His letters to Charles Eliot Norton rank, together with those of Carlyle and Emerson, as the most memorable transatlantic correspondence; and more of his letters, I believe, have been printed than in the case of any other English (or American) writer. To such publication he was the last to object, for he once declared: "I never wrote a private letter to any human being which I would not let a bill-sticker chalk up six feet high on Hyde Park wall, and stand myself in Piccadilly and say 'I did it!'"

Among those who, according to his own description, belonged to his "inner circle" was a brilliant English gentleman, a graduate of Oxford and a man of means, Rawdon Lubbock Brown. In

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1833, when he was just thirty, Brown had gone to Venice in quest of the grave of Thomas Mowbray, Duke of Norfolk, who had been banished for life, as dramatically portrayed in Shakespeare's *Richard II*, and

> . . . at Venice gave
> His body to that pleasant country's earth.

Thwarted for many years in his search (until he finally discovered the gravestone and by a daring ruse smuggled it off to England), this Englishman became completely absorbed in the history of Venice and in the city itself, and for exactly half a century, until his death in 1883, he never left Italy. No man, the authorities tell us, ever knew Venice and her romantic story as did Rawdon Brown, and no one ever published so many valuable documents revealing her history. He was the first to bring to light the news letters written by Venetian ambassadors in England during several centuries, thus illuminating the diplomatic relations between the two peoples. So important were his revelations that Lord Palmerston, when Prime Minister, commissioned him to publish his researches as official State papers. In the process he examined twelve million packets of documents.

Knowing every Englishman of note who came to his beloved adopted city, Brown of course became acquainted with Ruskin, and the two became not only lifelong friends—"of an inner circle"—but fellow-workers in making Venice appreciated in England and America and indeed throughout the world. Readers of *The Stones of Venice* recall how gratefully Ruskin records his great debt to the older man. The letters which follow reconstruct for the first time[1] the story of this memorable companionship, nourished by a transcontinental correspondence for over a quarter of a century, between one who revealed the history of Venice and one who revealed the glory of her art.

[1]Six of these may be found in full or in part in Cook and Wedderburn's edition of Ruskin in thirty-nine volumes. The rest of the collection of more than forty have not been published. They form a single collection which W. G. Cavendish-Bentinck, Esq., presented in 1900 (the year of Ruskin's death) to the British Museum. For permission to publish them I am indebted to the officials of that institution. I preserve Ruskin's punctuation and omit only the parts which are of minor interest.

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[Denmark Hill, his residence in Camberwell, London suburb, 1843-1872.]
3rd November 57

Dear Mr. Brown

I think I shall just send you a word of kind wishes now and then—not pretending to be a letter—I find it is no use waiting, in this world of steam and speed, till one has "time" to write letters.—

I cannot tell you how much I was touched by the two precious little notes from Ivan and Panno—and by what you said, in sending them. I have never believed—nor ever found, human nature ungrateful, on the contrary the strength of gratitude one receives often for the least kindnessess is one of the saddest things in the world—Wordsworth is not an idol of yours—but that is a deeply meant couplet of his—

Alas, the *gratitude* of men
Hath oftener left me mourning.

—Not but that if one tries to do people a service against their will, they can be ungrateful to purpose. I imagine the way people generally complain of ingratitude is that they want their friends to be happy only in *their* way. . . . I am recovering my sense of enchantment about Venice—but very slowly.

I will write again before long. Mind you don't take any trouble, nor answer this absurd little note.

Ever gratefully Yours

J Ruskin

Kindest regards to Joan.

A number of letters, probably a good many, had passed between the two friends before the date of the preceding, which stands first in the collection. When this was written they had known each other eight years, having met during the winter of 1849–50. At this time Ruskin spent several months in Venice, going through "so much hard, dry, mechanical toil there," as he afterwards wrote Norton, "that I quite lost the charm of the place." This explains how he had lost "the enchantment", which he now tells Brown he is recovering. Yet what he temporarily lost for himself he imparted to *The Stones of Venice*, the first volume of which he finished later in 1850. In this "hard, dry, mechanical toil . . . with pain of frost-bitten fingers and chilled throat as I examined or drew the window-sills in the wintry air", he was substantially assisted, as well as inspired, by Rawdon Brown. Again, from September, 1851, to July, 1852, he en-

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joyed the personal companionship of Brown while he continued his toil for volumes two and three of *The Stones of Venice*.

Ivan, Panno, and Joan, referred to constantly with such affection in these letters, were Brown's faithful and beloved servants, the first two his gondoliers and Joan his housekeeper.

Mornex. (Haute Savoie) France
Jan 3rd. 1863

Dear Mr. Brown

How often I have been going to write to you—perhaps Heaven knows: I don't . . . . I've been a great deal worse since I last wrote to you: thought I was going to die in the summer: but didn't quite. and am a little better now, and settled here in great quiet—with books, and paper—and room for stones, and the hope of a few years of drowsy grasshopper life. I'm going to build myself a nest deeper in the hills; but I've got a house at present in this village—with a fair view south over the glaciers, and a sunny slope of limestone crag above, and Geneva accessible in a forenoon's walk—with news of the day and hour—when I forget them . . . .

I am ever affectionately yours, and gratefully

J RUSKIN

In the next letter Ruskin inquires about a project of editing important materials, afterwards carried through entirely at Ruskin's expense, by Giambattista Lorenzi, the vice-librarian of St. Mark's. Lorenzi was one of Brown's closest friends, breakfasting with him every morning for years.

Geneva, 7th April 63

Dear Mr. Brown

I'm so glad I haven't lost a letter and I like you so much better for not answering directly—because I used to be quite frightened at you for being so formal with me, and so ashamed of my own impracticability—But I'm frightened now about what you say of your eyes—you know it will never do to overwork them. Whatever else one overworks—Pray rest for two or three months from calendars [The Calendars of State Papers which Brown was compiling], read nothing but large print—Now about Lorenzi's documents. What quantity of them—(in bulk, I mean)—will be producible, and what funds are needed for furtherance of plan or publication of results. I will not let such a plan—in such hands, come to abortive close, if it falls within any manageable limits: *and if the documents bring out any results contrary to my anticipation, I should all the more wish to have some share in the good work of their recovery* [This is underlined by Ruskin]. Let me know therefore what Lorenzi's materials and plans are. There is of course no question about publication, except that of the surplus

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absolute loss, in such a case as this, it is simply building, one's own self—such monument to the place as is possible. Please give my best regards to Lorenzi, and say I am most happy to hear how he is employed and shall think myself still happier if I can help him.

If I were to *come* to Venice for a week of two about 15th September next, should I find you there? and between this & then, could the plan be brought into any manageable form.

I wonder what would be the cost of a little bachelor den, for a permanency of cupboard to put things in—with a marble balcony to the window—somewhere on the grand Canal or in the Ponte de hospici quarter,—the only one for me, wherever I live, now.—I should not be ever much at Venice, my health requiring hill air, but I should like to find my door opening to me, when I came. I am making many plans at present which may possibly all end soon in the house with the grass door and no key. But I wrote only yesterday to an advocate at Bonneville—asking if he could buy for me the entire barren top of a crag, with a little grassy cleft in it which I've long been fond of—5000 feet above the sea—I want to build myself a den there—at any rate—wherever I may wander on lower ground.

Why do I want to think of ears and eyes? In my own country—for the noise and smoke, in others, for the cries & blood—Not but *we* shed enough of that red ink—over account books.

Love to Joan and Panno
Ever your affectionate

J Ruskin

Geneva 12th October 1863

My dear Brown

I have been detained here so long by some business—(the last thing you would expect to detain me!) that I must give up the hope of seeing you this autumn; but it is only a delay of four months, as I shall make a point of reaching you in the spring; meantime let nothing of Lorenzi's projects be deranged. As soon as his book is in order, let me know in what form he wishes to publish it—what the expense will be—at Venice and then we will consider whether it should be published there or in London.

I am so used to disappointment of every sort that I write as if I were not vexed at not seeing you, but I am. The "business" was—and still is—the securing possession within assignable limits, of a piece of pasture and forest in Chamouni . . . [discussion of technical legal difficulties] . . . Old Piedmontese traditions and customs, mixed up with sudden influx of French formalities, and such convenience of arrangement as you may imagine, the next piece of ground belonging in common to sixty proprietors, most of whom can't read;—have entertained me here sufficiently during the time I hoped to be with you and Titian.

I am a little better in health, recovering I think—though very slowly from

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the astonishment of despondency which had stunned me. I believe the chronic and intense anger in which I live, wears me out and poisons my blood; but there's no helping it for the present.—one can't but look at the papers sometimes. I am going into north Switzerland geologizing, (until some law papers are ready for me) & hope to get a little more nerve for the winter—then I go home (to London) until spring. . . . Give my love, please, to Joan and Panno, and say I shall be thinking of them at Xmas and seeing them I hope in the spring.

And believe me ever affectionately and gratefully

Yours

J RUSKIN

Baden [Switzerland]
Saturday, 24th Oct. [1863]

My dear Brown

I have your kind letter. the Lanotts book and the photographs, all safe, and am glad of all—specially of the photograph (merely getting the real lines of Titian is something). I trust I may see it in the spring. I am so accustomed to live in the midst of ravage that the possibility of its restoration affects me little more than the sight of a new death does a soldier, or doctor. I have made up my mind to do without everything but my books & dinner—so long as I can keep clear of toothache I hold myself fortunate.

I am very busy drawing here, and knowing no more Italian than I did 20 year ago, have not made out Lorenzi's letter yet, except that he is ready to begin and that 2000 francs—not less, are needed forthwith. . . . on Saturday 7th at latest (in case of being hindered a day,) I will send you a hundred pounds. . . . I had much more to say, but my letter must go. I'm out nearly all day this weather it is so clear and fine.

Ever affectionately Yours

J RUSKIN

Baden 10th Nov. 1863

My dear Brown

I have your nice letter: though late, for I was hindered after all from going to Geneva and had to send for your letter: and the £100 are sent by the Geneva bankers to you in their own way, of which I doubt not you will hear in due course. I am delighted that you speak so highly of Lorenzi's work . . .
am most happy to be of use to him and to the Ducal palace.

I leave this for home tomorrow, and once at home, the time will soon fly till I begin to think of coming to you—and seeing a gondola once more. I dreamed last night that I was in Venice—and there were no gondolas: only boats with one end cut off. [sketch of such boat inserted] like that, which I couldn't row in. What would Panno think of such a dream.

With best love—Yours always & faithfully

J RUSKIN

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[Denmark Hill,
Nov. or Dec. 1863.]

My dear Brown

I have just got your delightful little note. So kind it is of you. The motto on my seal ["Today"] was chosen two years ago—for many reasons—but chiefly to try to cure myself by that and other helps of procrastination—to which alone—not to forgetfulness, it is owing that you have not yet your stones of Venice & the letter you wanted. But I wanted to bind the Venice first, then came choosing pattern, then none could be chosen &c, &c. But I have just put them in bond & I'll get you the letter.

How funny that is about hortia and hostel—so new to me! that is the kind of thing I am chiefly working at now. I like it better than drawing—word-hunting is the only athletic exercise I can take.

All you tell me about Lorenzi is most clear & most pleasant. . . .

What I do over here is complicated with various plans—not rightly to be thought of as loving work—and as far as my experience goes—it is not the loving people who have the happiest new years—It is all I can do to keep an average contentment & fright off black night, & a new year is precisely the saddest thing that happens to me, except that it brings me sometimes a letter or two such as this of yours.

I answer in haste. I can't write. I write worse every day.

Ever your affectionate friend
J Ruskin

My father & mother beg their grateful regards.

[Denmark Hill]
18th Jan^{y} [1864]

My dear Brown

I have just got your most precious note, and the photograph. I have not yet examined it thoroughly, but I have myself no doubt that Ponti's provocatives are retouchings on the negative. I have never seen a single instance of a fine coloured work being rendered with this decision and I believe it to be physically impossible. . . .

Your documentary discoveries are most precious to me, and all your kindness in the matter.

I wrote you a line three days ago—to say that Venice books are coming.

Ever affectionately Yours
J Ruskin

[Denmark Hill, Jan or Feb. 1863]

My dear Brown

I have your kind note and second photograph. I had not looked close at the letters—but you know better than I if their type is ancient or modern—I do not think Titian would ever sign in that place, or way and I am certain the

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greater part of the work on the limbs is modern—and that *every* part has been gone over by the retouchers. . . .

I have made so many mistakes myself in various matters—from over enthusiasm (Do you recollect the wrong Tabernacle I bought?) that I'm a little comforted by *your* pouncing too quickly on these same letters. . . .

I love you always better & better—& am

Ever affectionately
Yours
J RUSKIN

[Denmark Hill, Feb. 1864]

My dear Brown

These three photogs are perfectly precious and divine—to me invaluable—Please tell Ponti to let me have just in this their first shape unmounted—anything and everything he can get from Titian, Tintoret,—Veronese, Ciura—or the Bellini's—charging me a proper profit on his cost price. . . .

I hope to be—i.e.—I *mean* to be positively unless prevented by accident—at Venice next spring. I suppose I *can* come without offense?—here in England I am looked upon as a republican—but the Venetians are gentlemen—and know an open foe from a plotter—whatever I say or do against them (and I have said things *for* them as well as against them sometimes) is said as openly as if it were in the English Parliament

—Ever my dear Brown
Yours affectionately
J RUSKIN

The packet from Lorenzi is safe.—the printed part looks delightful—admirably got up.

But would you kindly tell Lorenzi with my sincere regards that I can't read Italian nor Latin without labour, and that the doctors—for I am seriously,—though they say not dangerously—ill, forbid all application. I disobey them so far as to draw, and to read geology, & some Plato & Virgil, but I cannot read anything that costs me the least labour,—so there's no hypercondriacism in the matter. . . .

[Denmark Hill]
5th February [1864]

My dear Brown

I have just got another of Lorenzi's packets. How superb and interesting they are! I'm so proud of them—you can't think—though its only like the grease-pot being proud of the carriage wheels. . . .

[Denmark Hill, Feb. or March, 1864]

My dear Brown

. . . This last year (autumn) in Chamouni—high on the hills, day after day, till limbs ached and lungs were like to snap—in the purest air of heaven, I

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still saw the black earth, black. I can't understand the institution of Dying—Why do I want to paint the loveliest things—and why do I see that I might—if I had time—and why am I a moth—and a [?] of ducts—instead of a living creature?

—Why are the men about me all so mad & wild & wicked, & yet so good in all sorts of useless & foolish ways? and abler than I &c, &c, &c.

—I shall not row when I come to Venice. It would make me drown myself forthwith. I shall go dreamily looking at pictures, and come in the quiet evening sometimes & listen to you talking and telling me wonderful things of long ago—And I shall go botanizing a little where the grass grows—and drawing a little bit every day.—and not making myself more unpleasant than a half dead person must be: but it isn't exercise & won't but rest [*sic*]. & yet that I might feel steady progress in any hopeful doing [rest of sentence not clear] I like your letters so much I've put them all into a separate drawer, to be collated & worked over when I get to my Titian work again, if ever I do, & to be enjoyed, at all events, for their kindness, at all times—nothing can be on the whole so precious to me if I recover myself a little, as details respecting the life & work of Venetian painters. . . .

Ever affectionately and gratefully Yours
J Ruskin

Ruskin once declared that his three masters were Titian, Carlyle, and Turner. From the preceding letter one infers that he had "recovered the enchantment" of Venice.

Paul Kaufman.

To be concluded

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THREE POEMS

BY SALLY BRUCE KINSOLVING

MAGDALEN

A wave trembled and broke
Into a cup of sand—
Passion old as the sea awoke
In the hollow of your hand.

The wave melted away
In the wash of the tide,
And I would run to the sea-caves
Where I might hide.

AN EMPTY HOUSE

There's sweet for bitter
And bitter for sweet—
An empty house
On a full street—

An empty house
Garnished and swept:
Some have laughed in it—
Others have wept.

STILLNESS

April is a hush
Felt everywhere,
God in tree and bush,
Saints at prayer . . .

Bells that do not ring,
Nuns in white—
Only birds caroling—
And a moon at night.

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RECOVERY

BY MARK VAN DOREN

There must be many days without a storm,
And many peaceful nights, before this tree
Can be itself again. The branches hang
In order now; the leaves are very still—
But the wind upturned and tore them yesterday,
And all they held was poured into the rain.
The tree is empty now as an old bell
Suddenly swung. . . . The darkness gathered here
Was filled with silent movement, of the shapes
That never speak. Each bird that fluttered through
Hung up an echoing wing-beat, like a leaf.
The gentle winds that hourly wandered in
Made hesitating music, never lost,
Nor ever heard by any but the nights
That folded round the days and darkened them—
All sleeping till the tempest burst about. . . .
The tree has not lamented what is gone.
Time, and the open air, and the quiet ground
Already work together with the wrens
And noiseless, climbing spiders. They collect
New treasure now, sufficient for a while.

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THE FREEDOM OF THE CITY

BY CHARLES DOWNING LAY

I

THERE have always been cities, but the great city as we know it today is new. Its ever increasing size has worried many people, so that it has become the fashion to look askance at the city and to regard it as an unfortunate accident of modern life, which with its many conveniences could be so happily enjoyed in pleasanter surroundings. The city is full of shocks for the person of refinement, sights that sicken him, and contacts with fellow men that make him cringe. It is a constant repetition of annoyances for the sensitive; the clamour of the streets, the interruptions of many people demanding a hearing, the discords in time and place, keep his nerves ever on edge. The city lacks, too, much of the sensuous appeal of the country. Its hard pavements do not lead one's feet to stray as do the green pastures of the farm, nor is the muddy gutter of the city as pleasing as the brook babbling over crystal pebbles.

We feel in the city restricted and confined and miss the freedom to roam, to idle, to follow our own way in our own time, for which the country gives us so many opportunities. Appealing as they are, these reasons for a preference for the country are sensuous, or sentimental, or querulous, and do little credit to the persons who use them as arguments for choosing life in the country—for someone else!

At bottom the case of city *versus* country is simple. The choice is carefully made by thousands of people every day. To say that those who choose the city would be better off if they chose the country is futile, and not borne out by any of the facts.

It has never been shown by convincing argument that the great city is not the best place to live. It may seem wrong that people in the city (especially you and I) should be deprived of

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that which is so plentiful in the country, namely space. If space is more pleasing than companionship to some people, it is also more easy for them to secure. But not in the city, for the great merit of the city is in the immense congregation of people in one small spot.

Statistics and experience prove that city people are better off than those who live in the country, in health, in opportunity to make a living, in education, and in the possibility of a spiritual awakening.

It will not do to measure the value of the city in terms of material things only, for we must believe that it is only progress toward a higher spiritual life that counts. Our advance in material welfare is nothing so long as we produce no intellects superior to those of Greece. Failing in that, we must conclude that there has been no progress in the spirit of man for two thousand years. All else is of little value. The city, however, should be credited with a great influence in raising the average of education and perhaps of intelligence, and with a general quickening of mentality, which may in time produce great intellects.

It is evident that our advance in science, in invention, in trade, which makes life today so easy and so pleasant, has made the city possible, as the city in turn has furnished the rich soil and the perfect climate to stimulate the growth of science and invention. The activity of mind which makes the city possible is itself fostered by the city. There is an interdependence so complete between the city and scientific progress that they cannot be separated. We might almost say that they are identical, and that the city is only scientific and inventive mental activity.

I believe, too, that the city has the same identity with artistic effort of every kind, and that the Muses today dwell on one of our steel frame peaks in the city. It is obvious that many intellectual and artistic activities can be undertaken only in a large city, and that the opportunities for the enjoyment of all the things of the city, that is, undertakings which require associates or the atmosphere of companionship, increase directly as the size of the city. No argument is possible here. If we care for churches, music, art, literature and the drama, we can have them nowhere so easily and of so high quality as in the city.

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There are within a thousand feet of Forty-second Street and Broadway, New York, 56,000 seats in theatres, and in the whole city 96,000 seats. I can occupy one of these seats any night I please, and if I withdraw my support for years, I can still after that time begin again and probably have a wider choice. In a small town, if one wants good things one must support them; here they continue without my support.

II

No one has as yet thought much about the future of the city. Town planners who should look ahead have devoted all their energies to thinking up schemes to mitigate the city; to having their cake and eating it too. They realize that some city is necessary. We could not all go back to a rural life today, so they propose in different ways to limit the growth of the city, as if the fault might be forgiven because of its diminutive size.

In England they have invented the garden city, which is an arbitrary limitation of population on a definite area. They propose a city which will be so large and no larger, and will always be surrounded by a belt of farms. It is an idealistic scheme, so far not greatly productive, and always open to the gravest objections, social and economic.

Garden cities, like our residential districts, suggest a social order based on land restrictions, a special privilege to live luxuriously in a community so closely controlled that there is no room for the poor, but only for the socially inferior household servant. This may explain why it is so difficult to get servants in the suburbs of our large cities.

In this country we have devised a zoning scheme, which in so far as it protects the rights of individual property owners is admirable, but it may prove to be an obstacle to their growth and a disappointment to the many small towns which have sought it as a panacea for all their ills. For too close control may be worse than none at all, and may end that elasticity and mobility of development which is characteristic of our individualistic ways. The fluidity of our life in its relation to its *locus* startles the European, who is accustomed to having everything

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set, like a stream of lava which has cooled. Our warm mobility, though it entails some waste, is more easily turned in new and promising directions.

None of our present schemes for control of the city are creative. They are restrictive, ameliorative perhaps, but carry no conviction of permanent rightness. We build to the limit of our laws in New York, and deserting the private house we crowd into multiple dwellings and are happy about it.

Rationalists of many kinds have proposed schemes for the better distribution (as they think) of population. They range in diversity from the "road town" to the many ideal cities which have been planned on paper. All are based on a despairing theory of amelioration and dilution. Meanwhile, there are definite tendencies in city organization which point the way to better planning.

There is, for instance, a development taking place in New York, where new centres are all the time being created which up to a certain point take care of local needs. These centres are in every district and consist of the grocer, the butcher, the druggist, and other retail shops. These local centres are every year growing in importance, and as a district changes from suburban or single family houses to multiple dwellings, they get some of the characteristics of a metropolitan district. They furnish by this time all the ordinary requirements of life, and one goes to the real centre only for exceptional needs. For the exceptional needs one still has many opportunities, for there are great department stores scattered all over the city.

If we think of the great city as one organism, the Leviathan, as it were, of communities, we shall have trouble to imagine one of sixty millions, for there are insurmountable difficulties in the enlargement ten times of all our facilities. A Grand Central Terminal ten times as large as the present one would be impracticable. The idea that the size must be greater to accommodate great crowds is, I think, the danger in the railway engineer's attitude, as it is the mistake of many city planners. We have not gone so far in city affairs as the railways have, for we do not enlarge our schools to take more children but build more schools. Police and fire departments are still scattered over the city.

When we consider the city as a community of separate individ-

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uals, like the polyps of the Coral Islands, much of our difficulty vanishes. If a city of 100,000 or so people, such as Albany, requires a railway station of a certain size, then New York should have for the same railway system sixty stations the size of the one in Albany. This at once increases the convenience and reduces the congestion caused by our gigantic terminals. What the maximum convenient size for a railway station may be I do not know. I feel certain that our New York stations have exceeded that size, as some of our office buildings have admittedly exceeded profitable size. There is in all human affairs a certain scale to be held to. An eight foot door is high enough for anybody. If more people must use the door, we provide more doors, not a larger one. In our growing city we must have innumerable more units, not larger ones. Viewed as an aggregation of small units, the problem of the city becomes simple, for there is no difficulty in imagining a succession of little cities touching each other from New York to Boston or to Baltimore.

The obsession of bigness, as if the city must grow equally in three dimensions because it covers so much ground, has vitiated much of our study of the big city, which is almost as simple as the hive. When that gets crowded, a new colony is sent out to form a new city. But it prospers close against the old—it need not be separated by open fields, for the bee is nearly as mobile as we and seeks his provender as far afield as we do. It need not be grown in the front yard.

There is no danger inherent in density of population, for the number of people living on an acre of ground tells comparatively little of the way they live. It is not how many of us there are to the acre, but how well we live, that determines whether the city be well or ill. If people crowd into too few rooms, it matters little whether those rooms be in city or country.

Living conditions have been bad in the city, are now bad in spots, but it is a hangover from the past and cannot happen again. Our laws are all the time requiring better housing and reinforcing our native desire for luxury, which has never before been so gratified, in clothes, in houses and in travel. I suspect that some of our luxuries tend toward restraint in victuals and drink; so much money being needed for tires and gasoline.

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III

The air is full of hopes of new things which are expected to bring about decentralization and a definite halt in the growth of the city. Chief among them is the superpower system which will link up all the steam and water power plants in the East and send the power countrywide. In theory, each farmer will then be able to start in any light industry he pleases. The country districts will be as regards availability of power equal to the city, and the country shop will besides be free of some of the heavy expenses of the city, such as costly building, high taxes, truckage, high wages. It is indeed quite possible for a small industry to move into a village and find there cheap power, cheap rent, a railroad siding and a limited supply of cheap and good labor, but as the industry grows it must attract more labor, thus starting a city, or move to a larger city. Either way, it inevitably becomes an urban industry.

For a smaller industry, such as any mechanic or farmer might start, the difficulties seem insurmountable in spite of cheap and abundant power. In the first place, there is a capital expenditure for motor and machines and the overhead on these. How can he get the capital? No one will invest in an experiment in industry which depends upon the capacity of one untrained man. What shall he manufacture for a country well supplied with everything, and in what quantity, and how shall he market his goods? Any manufacturer knows that the cost of selling goods comes near to equalling the cost of manufacturing them. How much will the small manufacturer be restricted by lack of full equipment?

Efficient small scale production will undoubtedly come—is here, but only in articles which must be delivered fresh to the consumer. Such things are newspapers and bread, but to these might be added the things done while you wait, like pressing clothes, repairing shoes, and endless work on automobiles. But the amount of power and of machinery needed for such work is little. Any article which is not too heavy to be shipped cheaply can undoubtedly be made more profitably in a big city, and sold for less in the small town than if it were made there.

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IV

I feel so assured of the continued growth of our cities and so happy about it that I wonder at the fear of size which is so general. We who remember the first motor cars know that an automobile of today would then have filled us with fear of its size and its power; but the fact is that cars now climb trees less frequently than then and are more easily controlled and safer.

If a city of six million is pleasant and satisfactory, why not one of sixty million? It will make no difference to the New Yorker, who sees nothing off his beaten track from Forty-second Street to Fifty-ninth Street, whether there are six or sixty million on the outskirts, for Fifth Avenue has just about reached the limit of crowding and can never be much worse than now.

If we accept the idea of a city of sixty or more millions as possible and desirable, we must begin to think how it may most easily be managed and what the result might be.

Politically the great city is becoming more powerful, more independent, and is taking to itself through necessity functions which our forefathers never thought of and which we sometimes view with alarm. Naturally enough our political machinery for managing the big city has lagged behind our development in science and invention, but we are progressing and the next great step in advance will be, I think, in city government, which must be improved in organization and in technique. The powers of the city government will no doubt be further extended, so that it will have still greater control of private property, of public utilities, of education and of recreation of any type. Step by step we are marching toward an autonomy which will some day put the city in control of the State and toward a power which will limit the individual's chance to injure his neighbor but leave him free to enjoy living in his own way so far as his spiritual life is concerned. The physical freedom of yesterday we have forgotten.

The desire for concentration is seen everywhere, in rural schools which are being abandoned in favour of a central school with larger opportunities, in the decline of the small general store and the increase of mail order houses.

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V

What can rural life have to offer in comparison with the city? Few endure it in contentment if they cannot often get to some city.

A young man cannot marry and start farming without capital. He must furnish the house, buy nearly as many clothes as in the city, besides buy all the horses, cows, poultry and endless machinery, for no matter how industrious he may be he cannot farm without machinery. And it is to be remembered he is investing his capital in a business subject to many chances, and he may lose it. Paying installments on the separator or the tractor, or the continuous expense of keeping up a young orchard, may defer for years the purchase of a fur coat for his wife. In the city a boy with a good job can marry when ready. No capital is required.

It is impertinent to suggest that there is waste in hauling people back and forth in the city, for that is only to be judged from the point of view of the individual. No one can say that it is a waste if I wish to live in Nassau County and find it to my advantage to work in Manhattan. Shall someone order me to move or change my job? Or say that I waste my time in traveling? Who knows whether it is a waste for me or not?

If we enjoy the department store with its treasure collected from all the world, we must realize that it is not there for us alone; that without our million or so neighbors and many guests it could not be there. So it is with all the other things, churches, museums, lectures, music, exhibitions, taxicabs and subways.

It would be easy to show how diffusion defeats its ends and brings greater hardships, for it means inevitably more time lost in travel; more money spent for which the return is only in space and diminished opportunity. No idealist would attempt a plan whereby every worker in office, in shop and factory, could walk to his work. Such a scheme would entail endless labour of work-time travel, of truckage, of annoyance, and how could such a plan be stabilized? Would anyone care to live in such a mixed district?

Though rents go up with each increase of population, yet the

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rent becomes more worth paying, for the increases of opportunity of every sort keep pace also with the population. It is never mere cheapness of living that determines a man's residence. It would not be difficult, I think, to show that cheap living means low wages, dear living high wages, the ratio between the cheap and low and the dear and high being nearly the same. But the advantage is all in favor of the high wages and the dear living, for this combination means greater opportunity and an enormous amount of free things which are the result of communal enterprise. It is true that rents are high in New York, but living on the whole is cheaper, if by living we mean anything more than minimum necessities.

VI

It would be troublesome to describe the city of the future without dropping into the style of *Gulliver's Travels*, or of Bellamy's *Looking Backward*. Except that we are accustomed to marvels, it would seem as preposterous as flying, or as fanciful as the popular scientific magazines. We should get over our fear of the city, cease trying to ameliorate it by giving it weak echoes of the country or to make it innocuous by great dilution, but try rather to make this new machine a good one that will work, instead of saying all the time, it's too big, it will not work!

The greatest annoyance in cities today is that our highways, inherited from a horse drawn age, are insufficient for our present needs. To rebuild an entire city to meet the requirements of such an epoch-making thing as the motor car is no small task, but it can be done. The approach to the problem must be a new one. The experience of the past avails nothing. The ideal to be sought is a direct route from the garage in the cellar of my house, with little control or traffic regulation, in any direction to the open country. If we can reach the country easily, the city becomes perfect. We live in comfort and gregariously, and yet have all the pleasures of rural life. The problem obviously requires a separation of classes of traffic, and the elimination of grade crossings of streets on trunk highways.

The tendency is strong to dwell on the things in which we are backward, like highways, and to forget our great accomplish-

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ments, of which water and light are perhaps the greatest. New York has probably the finest water supply in the world, yet it costs something less than fifteen dollars per year for one family in a large house. In the country a good supply is hard to find, expensive to get and costly to maintain. It might easily represent a capital expenditure of $10,000 and cost several hundred dollars a year to operate, plus interest on the investment. Water is the great example of the advantage of living in a large community, but schools and streets and parks are just as good illustrations.

It would be hard for an outsider seeing the low cost of our common enterprises to believe that we do not yet have central heating plants, but that each house has its own fire which must be stoked and have coal brought for it and the ashes taken away.

For a nickel we ride from furthest Brooklyn to uppermost Bronx, roughly twenty miles. Where else in the world can one ride so cheaply? The comfort and convenience of city life is the direct result of its great congestion. Congestion is the life of the city. Reduce it below a certain point, and much of our ease and convenience disappears.

We are certain in the future, I think, to have great cities thinning out quickly into suburbs, a few farming districts scattered here and there on the best land where all work is done by machine, numerous golf clubs as nuclei for suburban communities, but at places touching the city there will be forest in which the deer and bear and even perhaps the wolf will roam.

In my lifetime I have seen the decrease of rural population. Thirty years ago I had never seen a wild deer, and one had to go to the Adirondacks or Canada or Maine to get one. Today I could, if I were skilful, see one in half an hour's motor trip from the city in Westchester County, Connecticut or New Jersey. Our concentration in cities and the desertion of the country brings us nearer the wilderness today than ever, and it is infinitely less labor to get there.

VII

There are many social and ethical advances due to the herding in cities, but I prefer to call it a congregation rather than a herd.

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If there be merit in the self-discipline required by regularity of habits, by punctuality, by industry, it is to be found in the city to a greater degree than in the country. Time for the true countryman means nothing, whether it be his time or another's, and most of his work can be better done tomorrow than today. Idlers and wastrels are alike the world over, but those of the city are not in greater proportion or more expert than those of the country. I have seen the snaky head of vice in city and country, but never has it seemed so cruel or so abhorrent as in the country.

City people, I think, are less irritated by each other, less jealous and envious, for they have more chances for comparison, more opportunities to avoid unpleasant encounters. The feelings of city people are less hurt by differences in standards of living.

I believe, too, that city people are many of them inspired to an industry unknown in the country, and that they work because they wish to rather than because they must. To be part of a big organization has a thrill of its own for many who would lack that incentive on a farm.

We have as yet in the city only touched the surface of living. We have brought to the city country habits and unrecognized desires for ease and sensual delights which are out of harmony or childish. Our small parks are still supposed to be little bits of rural scenery on exhibition in the city, instead of being as they should, like hothouses with living things to delight the senses but in an environment wholly artificial.

What freedom do we want that we cannot have in a great city? I can think of none except the freedom to be a brute, to run amuck and to be completely anti-social in every relation. But there are few communities large or small where one has such freedom. Possibly in the South Seas one might find a place to indulge brutishness, and any city man is free to seek such a spot.

Of real freedom to follow an interest or a hobby the great city gives more and more in proportion to its greatness. Individuality does not consist in eccentricities of demeanour, of dress, like going with or without hat or shoes, yet such foolishness can be indulged more freely in the great city than in a small village. Individuality is not killed by standardization of homes or habits or hair cuts or clothes, or by working a machine, for if it exist it

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will show itself in more significant ways—in a quality of the voice, a flash of the eye, a quiver of the lip, or in a vividness of expression in speech or gesture or in a willingness to think. The trouble is that individuality is so rare and always has been. The opportunities for its growth were never better than today, can never be better than in the great city, where as compared with the country or with the past so little is needed to provide for mere existence, and there is so much time which the individual can use as his desires indicate.

The idea of questioning increasing leisure for fear people will not know what to do with it is as silly as questioning other forms of wealth of which this is the greatest. But the true test of the use of leisure is the intellect which uses it; for some, leisure may not have great value, but I doubt if it is more harmful to society than their other activities. If the merry populace have time to dance and sing, why should we object? Surely it is a happier state than that of the serf working sixteen hours for a bare existence, always miserable, without hope and without charity in his heart. I believe the dark ages of unwilling hard labor are gone, and that the friendly light of the city will continue to shine through the ages, calling people to come to communion with their fellows.

CHARLES DOWNING LAY.

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THE AMERICAN FARMER RETURNS

BY HENRY L. BOURDIN AND STANLEY T. WILLIAMS

WHEN, in 1779, J. Hector St. John de Crèvecœur returned to the little port of New York to embark for his native France, he was still a poor man. During his twenty years in America he had served in the Canadian army; he had wandered through the Colonies; and he had lived at "Pine Hill", in Orange County, New York, as "The American Farmer". Poor he was, this eighteenth century adventurer, but we fancy that he watched carefully, as he boarded ship, a certain trunk. In it were manuscripts, the records of his Odyssey. The book made from some of these manuscripts you have read, if you are a lover of old, curious volumes. In the trunk, in their most primitive form were the *Letters from an American Farmer.*

Whether Crèvecœur, once on the high seas, exchanged experiences with his fellow-passengers, we do not know. A few months later, however—this we do know—he was taking counsel of the London publishers, Thomas Davies and Lockyer Davis, for the publication of his intimate journals of American pioneer life. Three years later (in 1782) the book appeared. Crèvecœur was now back in France, and prosperous. The vigorous "Farmer" has given place, in later life, to the successful Frenchman, living in Paris, and again in New York, as Consul. He has become the friend of Madame D'Houdetot, and a member of her aristocratic circle. Does he recall those winter nights in the Mohawk Valley when he peered out into the darkness of the snowstorm? When he returned to the fireside for his wife's mug of gingered cider?

The world at least, in France, in England and America, learned to love the story of the "American Farmer". In 1784 there were four editions of his book in Britain. In 1785 he brought out a free translation, the *Lettres d'un Cultivateur Americain:* and in 1793 Mathew Carey was godfather to the first American edition. Such fame must have pleased this born letter-writer. Yet, even

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more, if he could have known the life of the nineteenth century, he might have seen reader after reader "discover" him, and delight in his stories of Martha's Vineyard; in the battle of the snakes; in the manly essay, *What is an American?* "Oh! tell Hazlitt," wrote Charles Lamb on November 10, 1805, "not to forget to send the American Farmer." In 1829 Hazlitt is still fond of the Farmer, for he speaks of him in *The Edinburgh Review* as one who "gives not only the subject, but the feelings of a new country." Yes, the world has accepted the *Letters from an American Farmer*. There they are in pocket-size on most of our shelves.

Meanwhile, what of the old trunk and the manuscripts? No one ever saw that manuscript which the London publisher used in 1782. Nor, what was more strange, did anyone ever behold either in manuscript or print, the rest of the Farmer's records. Were they lost? Yet Crèvecœur had meant to publish them, for an unobtrusive note in the edition of 1782 vouchsafed: "Should our Farmer's Letters be found to afford matter of useful entertainment to an intelligent and candid public, a second volume, equally interesting with those now published, may soon be expected." The second volume was not published, and the reasons, however attractive for speculation, we may not pause to examine. Rather we must hasten to an evening one hundred and forty years later. On this evening in a château, near Saumur, that trunk of the Farmer's was discovered by one of the writers of this narrative. There, wrapped in their eighteenth century coverings, he found the manuscripts. Outside the moon shone down on the Loire, as within he read by candle-light, the night through, the unpublished letters of the American Farmer.

They were indeed, as Crèvecœur had said, "equally interesting with those now published." In them were treasures for the scholar: the first specimens of Crèvecœur's handwriting, carrying with them the first opportunities for study of the diction and spelling of this eighteenth century Frenchman, who had been educated for a time in England, and who had lived for more than a score of years in America. Here were four realistic letters about farm life to dispose of the myth that Crèvecœur was a Rousseauistic dreamer. Here were passages from our "eighteenth century Thoreau", as delightful as those in the earlier

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volume on the bees and the birds. "A Description", writes Crèvecœur, with characteristic spelling, "of 2 Species of Aunts in Virginia." Most charming, here was a prose *Snow-Bound*, with its delicate portraiture of the approach of the storm. Finally, there were new narratives of border-life: *The Frontier-Woman* and *The History of Mrs. B.* were not less stirring episodes than the old tales of Mary Rowlandson.

But we must let the Farmer speak for himself, speak of his own life as he never did in the earlier letters. He loves to withdraw from the routine of the farm, and write of his experiences. Yet when his wife surprises him at this, he "blushes". "There is", he says, "something truly ridiculous in a farmer quitting his Plough or his axe, and then flying to his pen . . . My wife herself who has never seen me handle the pen so much in all my life, helps to confound me. She laughs at my 'folly'." Yet writing (or drawing his sketches) was essential for Crèvecœur, who with all his crudities had the tastes of an artist. He must describe the curses of his life: the wolves, the caterpillars, and skunks; or how ingeniously he makes the family carriage. More gladly, however, he dwells on the "bees" and "simple Merriments" when the farmers' wives come together. "Poor as we are, if we have not the Gorgeous balls, the Harmonious concerts the shrill horn of Europa, yet we dilate our hearts as well with the simple Negro fidle, with our Rum & water as you do with your delicious wines."

Such social pleasures indeed make the American's home life more cheerful, Crèvecœur would have us think, than the European's: "It is in the art of our Simple Cookery that our wifes all aim at distinguishing themselves; this is famous for one thing, that for another. She who has not fresh Comb Honey, Some Sweet Meats of her own composing Smoke beef at Tea would be Looked upon as very Inexpert indeed . . . Thus going to drink Tea with Each other implies several very agreeable Ideas, that of Riding sometimes 5 or 6 miles, that of chatting much hearing the News of the County that of eating harty." For all such joys the Farmer gallantly thanks his wife, one Mehetable Tippet of Yonkers. "No one in America," he declares, forgets "what an useful acquisition a good wife is to an Am. Farmer how Small is his chance of prosperity if he draws a blank in that Lottery."

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Even in the winter the cheerful parties continue. "It is the Season," says Crèvecœur, "that the Hospitality of the Americans is most conspicuous." Then follows a vignette of an old Colonial custom: "The severity of the climate requires that all our doors shou'd be open'd to the frosen traveller. Indeed we shut them not either by Night or by day at any Time of the year. The traveller when cold has a right to stop to warm himself at the first house he sees, he freely goes to the fire, which is kept burning all night, there he forgets the keenness of the cold, he smokes his Pipe, drinks the Cyder which is often left on the Harth and departs in Peace. We allways sleep in these rooms, at least I do and have often seen mine full when I was in my bed. On waking I have Sometimes spoke to them, at other times it was a Silent Meeting . . . Far from being uneasy at seeing my house thus filled while my wife and I are abed I think it on the contrary a great compliment, when I consider that by thus stopping they convince me that they have thought my House and my fire better than that of my Neighbors."

On another evening, this time on the actual frontier (in *Reflections on the Manners of the Americans*), we see a family together. Again it is winter: "The great Fire warms the whole House, cheers all the Family, it makes them think less of the Severity of the Season, he Hugges himself with an Involuntary feeling, he is conscious of present ease & security, he hears the great snow storm roaring in his Chemney.—If he regrets his antient connections, The Mugg of Cyder & other conveniencies he enjoy'd before, he finds himself amply remunerated by the Plenty of fewel he now possesses &c. The Rosy children setting round the Harth, Sweats & sleeps with their Basons of Sappan on their Laps, the Industrious Mother is rattling at her Loom, avaritiously Improving every Minute of her Time."

These winter-pieces are very different from the pastorals (already published) of the Farmer ploughing in the clear sunshine of his farm, as his wife knits sitting near him in the shade of the trees. Yet they are not so different as many of the harshly realistic pictures of frontier life which, for some reason were crowded into the two lost volumes. Such cannot be quoted here,—we are interested chiefly in the farmer's cheerful routine,—

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but later one story of the frontier shall be repeated. It sometimes seems as if the Farmer were happier, at least in these two volumes, in his description of winter, than in those of the countryside in softer moods. He is now describing a snow-storm in the Mohawk Valley. He begins:

> The wind, which is a great regulator of the weather, shifts to the North East, the air becomes bleak and then intensely cold, the light of the sun becomes dimm'd as if an ecclipse had happened, a general night seems coming on. At last imperceptible atoms make their appearance, they are few and descend slowly; a sure prognostick of a great snow.—Little or no wind is yet felt.—By degrees the number as well as the sise of those white particles is increased, they descend in larger fleaks, a distant wind is heard, the noyse swells and seems to advance, the new element at last appears and overspreads everything. In a little time the heavy clouds seem to approach nearer the earth and discharge a winged flood driving along towards the South West, howling at every door, roaring in every chemney, whistling with asperous sound through the naked limbs of the trees: those are the shrill notes which mark the weight of the storm. Still the storm increases as the night approaches, and its great obscurity greatly add to the solemnity of the scene. Sometimes the snow is preceeded by melted hail which like a shining varnish covers and adorns the whole surface of the earth, of buildings and trees; an hurtfull time for the cattle which it chills and oppresses. Mournfull and solitary they retire to what shelter they can get, and forgetting to eat, they wait with instinctive patience untill the Storm is over. How amasingly changed is the aspect of Nature!

Such pictures of colonial life the old trunk contained. If they reveal Crèvecœur as strange in spelling and diction, they also suggest his keen observation, and, what is more interesting, his literary taste. In these last passages are strength and repose, and in the others not reproduced here delicacy of expression and a fine gift of metaphor. Less obviously, however, the Farmer, in these new letters, displays his sense of the dramatic, a quality apparent in that earlier passage on the negro in the cage or in the description of the battle of the snakes. Crèvecœur loves a good story, and it is certain that he often relates in the first person what he has heard at someone's fireside. He depicts, for example, unforgettably, scenes in the retreat through the wilderness after the Wyoming Massacre; a silhouette of a beast of burden with the bedding on its back as a saddle. "On it sat a wretched mother with a child at her breast, and two more placed behind her."

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One adventure may stand for this other side of the Farmer's life and for his power to show something more in colonial life than tranquil life about a winter fireside. In *The Frontier Woman* he writes, relating in the first person a story that he has heard:

> In an excursion which we made to . . . , our party consisted of 23: 5 white people and 18 Indians of the very worst class. We came close to the woods of the settlement about sun down, but perceived nobody in the fields; We concluded that the people had returned to their houses of which we counted nine. We divided ourselves in as many companies so that every house was to be entered at once at the signal of a gun. God forbid that I should tell you the history of that attack where there was so much innocent blood shed. I entered that which had fell to my lot, and the first object I perceived was a woman of comely aspect, neat and clean. She was suckling two children whilst at the same time she was rocking a third in a cradle. At the sight of me who was painted and dressed like an Indian, she suddenly arose and came towards the door, "I know your errand", she said. "Begin with those innocents that they may not languish and die with hunger when I am gone. Dispatch me as you have dispatched my poor aged father and my husband last April. I am tired of life." So saying, with her right hand she boldly pulled the handkerchief from her breast, whilst she still held her two infants with her left, and presented it to me bare. I was armed with my tomahawk and was going to strike when a sudden and irresistible impulse prevented me. "Good woman, why should I kill you", I told her, "if your husband and father are already dead you have suffered enough; God help you."—"Strike", she said, "and don't be faint-hearted. You are only mocking God and man; the rest of your gang will soon be here, this will only serve to prolong my misery. Hark! Hark! the butchers, the villains; hark the shrieks of my poor cousin Susy in the next house. Gracious God, why hath thou thus abandon'd me?"

After all, we may be glad that the old trunk survived the shipwreck on the way home to France in 1779, and perhaps not sorry that Crèvecœur left the two volumes there. He comes back to us again now so vividly—a plain, strong man, with wisdom, not untouched by romance. His sketches of colonial life he says, rather humbly, are "genuine copies." They are. He is one of those Americans, one of the first, who could plough a field or fight an enemy—and later give it permanence in literature.

HENRY L. BOURDIN
STANLEY T. WILLIAMS.

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BOOK AND CROWNS

BY ROBERT P. TRISTRAM COFFIN

THE coat of arms of Oxford, if only there were some of the old metaphysical men of the seventeenth century around to explain it, has rare symbolism in its book and tripled crowns. John Donne was the man who could have done it, Donne the Oxonian wit, soldier, poet, adventurer, satirist, diplomat, scholar, religious controversialist, Dean of St. Paul's, and greatest preacher of his day, who crowded ten great men's lives into his years between leaving Oxford degreeless but Roman Catholic still and filling the space about Paul's Cross with so many worshippers of his Protestant eloquence that many were taken out for dead. Donne could see the metaphysics of all things, from the royal James who forced him into the Church, to leaf gold and grave worms. He even catechized himself for death by the marble symbol of his dissolution, his own shrouded corpse. And he had gone to the wars and lived in great courts and read "the whole of Divinity"; so he would have been eminently fitted to appreciate the Oxford teachers of today who are walking symbols of the University seal in their living.

The learning that goes crowned. These latter day Donnes have something of the crown about them, a certain magnificent gesture of the old kings. They, too, are many of them men who have lived richly, who have put off gowns and gone into the tanks and airplanes of their wars, sat in the seats of the Empire and rubbed elbows with great statesmen, been great poets, or at least skated over Holland in the Michaelmas vacation or climbed the Finsteraarhorn in the summer. They are kingly, whether they go in gold or gray. The ones who lecture on sweepings from philological dust heaps have that rare Mediæval faculty of being as dull as their discourse; they act the Scholiast in a wholehearted way. Those of them who run after the abstruser philosophies are as serene as sanctified monks in a Mediæval illuminated book, as

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far above our common earthiness. When they elect to interpret the Greeks, they become Greeks in their straightforwardness and their unwillingness to divorce intellect from the emotions. And those who deal in the crimson and common stuffs of life are very princely merchants indeed.

In any case, the best of the dons make of their learning a matter large enough to spread its pattern over all life. They address themselves to their audiences as if men were still sure that life concealed a great unity which teachers were born to reveal, as if there were still a *summum bonum*, and they the philosophers with the stone of all virtues, as if the world were not yet anatomized psychologically into moribund cells. They talk as if learning were a great and fine and not an intricate thing merely. These best Oxonian lecturers refuse to be methodical or drab. They have the careless inconsequence of men of a more heroic time, of the demigods that were Drakes and Raleighs, casting great ideas like new continents before the world, and faring on to others, unwilling to advertise or evaluate, too proud to barter or sell. They are men possessing that gift we had thought was forever buried under our mountains of inventions which make life easier, the gift children have and lose with their years, a gusto, a zest in living. Whether it be Greek participles or the Spanish mystics, they go in for it with a relish that shapes the very contours of their brows and makes their words roll unctuously from their tongues. One could not imagine that plain grammar could be so eloquent, or words one mouths every day so full and golden. Their eloquence comes straight down from the Middle Ages, from Aquinas or St. Francis; for they make their matter, be it the dullest or the brightest, a microcosm of all wisdom, a whole and perfect link in the living chain of God.

Like some of the best things in life, this kingliness of Oxford lecturers is difficult of approach. The way to the lectures is not easy. In the first place, there is that Old Adam out of the Middle Ages to contend with, the doctrine of Free Will. One may or one may not attend lectures. And the young are not always good choosers. There are no schedules of required fields to be troved of the honey one hives in notebooks. Nor are there rewards of merit given the industrious youth for perfect attendance. The

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very absence of roll calls has perhaps kept many future members of Parliament away, and the humanities have, for the same reason, come less often crowned with olive and myrtle into the councils of a nation. The old place of martyrdoms, of Ridley and Latimer, of the Oath of Conformity, today allows undergraduates the liberty of going lectureless away. Like the most precious ore and sunshine of this world, the learning is there free to all who will take it; but, as in life, there is no necessity of finding the good. And we Cisatlanteans have to think historically and remember that in the Mediæval conception of a university undergraduates were not necessary, or even greatly desired; colleges were congregations of the sage and learned; the untutored were merely countenanced at last in the scheme of things. One college, All Souls, has never let down the bars. In theory, therefore, the lecturers are lights unto themselves and would shine as brightly in solitude or with only a handful of their kindred about them. At the outset, too, one needs to remember how one of the greatest of Oxonian lecturers at the beginning of term used to warn men seeking grists for the examination schools that they had better go elsewhither. Examinations are but the ephemeral concerns of this place. In the words of its best teachers stands the abiding University, the wisdom that outwears the years.

Even though the undergraduate's conscience decide for lectures, there is always the tutor to reckon with next. The captain of one's reading campaign often gives one the idea that nothing so becomes certain lectures, or all of them, as the things that keep a man away from them. Prejudices thrive in the rich soil between the Isis and the Cher. Like their kinsmen of the seventeenth century or of the Heroic Age, Oxford tutors are sometimes as great in jealousy as in gesture. Besides, there are more difficulties than dons in the way. It is hard to find out just what the lectures are to be. There are, to be sure, lecture sheets printed; but such are the involutions and ramifications of different schools, such the abbreviations that resemble formulæ from the *Kabbala*, and so many and changing the localities of their appearance, now at the porter's lodge, now in the buttery, that one may well be lost until the lectures have passed into history. It is worse than useless to attempt to decipher the University *Gazette*, which re-

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sembles the alchemical *Diary* of Dr. Dee, save that it is longer and more opaque and changes each week. And, because it is hung loose-leaved in the Pig Market and other windy places, it is always possible that the sheet you seek has gone the way of the leaves of the Sibyl of Cumæ. The next difficulty is the title of the lecture, once you have found it. If it is not too obscure, it is apt to be rather forbidding; there is little that is inviting about Early Icelandic Iconography save a certain felicity of vowel sequence. And the mischief is it may not be at all as bleak as its name. In the carcass of Samson's lion there was honeycomb. The fees for the lectures offer no real obstruction; one pays as many of them as one finds responsible persons to pay, after which one goes and is welcomed unfeeing. But the many temptations by the way in such a place as Oxford City, once one is actually headed lecturewards, are very real and great. Marcus Aurelius on a penny bookstall may keep one from the truth about Pliny the Elder; Sappho's fragments, from Jane Austen. Or more profanely old Sheffield candlesticks that one can really see the copper shine through may break the ranks of the Roman historians, and a snuff-box, *Louis Quinze*, upset a school of philosophy. Two of the myriad Oxonian dogs may fight. Or else an endless drove of sheep bars the way to your Elizabethans and, worse yet, becomes involved in your bicycle. But, last of all, there is the task of locating the place of the lecture. This takes a toll of fully one-half of the persevering remnant. I once tried to run to earth a famous Danish professor who was giving a series of brilliant lectures on the Viking Age; the days slipped by; it was maddening to know that he was somewhere near and that each day the volumes of his wisdom were the fewer by one. When at last I earthed him on the day of his last lecture, in the Chemistry lecture room—of all places!—I felt as Numa Pompilius must have felt with the last of the Sibylline books on his knees. The lecturers get into the most extraordinary places, within bicycle shops, above bookstores, behind tailors; sometimes you must pass through cabbages and pork on the hoof in the market place to come to them. This is one of the secrets of the Oxford learning; it is at home anywhere, even in the very markets of life; it can consecrate any place. Dons of Corpus Christi make it a point to lecture at Jesus, and

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conversely. Dons are like prophets, they win repute best abroad. Even when once you have fixed them in the labyrinths of Mediæval alleys, they become peripatetic philosophers and drift like Alice's croquet wickets into unexpected places. The very doorways to learning are hard to find, though you know the halls themselves. Oxonian entrances are unobtrusive. So you can pass by places looking as dusty and untenanted as the battlements of eternity, all silence and starry decay, and never know that two feet away wingéd words are in flight.

Of course, in all these difficulties there is that very obvious of morals—

Forsan et hæc olim meminisse juvabit.

Yet in a more serious sense there is a paradox here, and one of the golden ones of Trismegistus. Labor and difficulty make more than the ascent from Avernus winsome. And the dullest of lecturers turn out sometimes to be men full of the milk and honey of human nature, of the spices and amber of the world. Clear, cold waters of Attic syntax turn into the wedding wines of the Bridegroom. The lectures are worth the pains of approach; lamps of early iconography become lamps for the feet that have the years of life before them. At the very least, those trafficking in barren subjects desert them on occasion to speak of pigs and primroses.

The aura of kingship envelops the places of learning themselves. The Old School of Geography—the best things at Oxford are old always—has no taint of democracy about it. Inside on its walls are maps that no meddlesome modernity has imprisoned behind bars of parallels and meridians. No man with the soul of a plumber has made Mercator projections here. There may be modern maps, but they are carefully kept out of sight. Those hung are of the glorious princely sort all children, those with the fierce great beards of the time of the Virgin Queen with the rest, love to pore upon; monsters thrusting up scaly heads beyond the Ultimate Thules, coasts of a possible Atlantis dottily suggested, and inevitably in the corner that ship with full sails straining to be off with you through mysterious Northwest Passages to dream Indies and fabulous lands.

But the best places for the best lectures are the dining halls of the colleges. It may be there have been pleasanter places to lis-

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ten to wisdom . . . among the olive groves of Athens . . . under fruit boughs of the Ægean Isles where the gatherers had left the topmost golden apples for poets to sing of . . . in the dim sweetness of Mediæval cloisters. . . . But in these latter days learning has found no better shrine than the halls of Oxford. It is easy to set crowns upon the mind under the portraits of great churchmen, old scholars, and splendid princes. Warriors in armor, archbishops in copes, learned men in the silks and ermine of Erasmus's day; and the gowned lecturer speaking on till he, too, is one of them, and a glorious host are speaking to one across the years. Eye to eye, mouth to mouth, heart to heart, one comes very close to wisdom. One's own gown begins to feel like cloth-of-gold. I think the old painters must have been part alchemists; the quintessence of red manlihood and the honey and amber of good birth have passed over into their pigments; these men have painted the fountains of youth and all immortal and shining things. It comes at last that one need not listen to the words of the teacher. The walls have their tongues, too. And other goodly companies in the stained glass windows take up the tale, men in *or* and *gules*, men with faith for eyes yearning upward to the other stars. How could a man be cold or indifferent when the long tables before him have freshly trimmed and ready to his hand goosequills standing in boxes of sand! Pens other than quills profane Miltonic thoughts. And that no sweet or everlasting savor of life be lacking, there are wide fireplaces eloquent along their smoky mantels of the feasts of good fellowship of centuries of youth. Up from the kitchens that baked for Sir Philip Sidney drift spicy smells of the loaves and joints for the Sir Philips of tomorrow. Hearty Elizabethan ideas in an aroma of Elizabethan ovens. What weak and vain shadows are years, how little they divide the great sunlight on the earth! Tonight these tables where one sits will wear mugs of ale and platters of red beef instead of inkpots, and the benches not the spiritually but the physically hungry. Learning at Oxford is always cheek by jowl with zestful eating and drinking. About the inkpots the smell of ale; books that smell of Banbury buns; St. Anthony and the savor of sausages. And when men sit in hall to dine, fragrances of books in the air, living books on the wall. Eating, one learns still; and learning is like a feast.

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But the teachers are the coronated kings of Oxford. They are essays in the ruddy humanities. There is the one who lectures on Anglo-Saxon grammar. He manages to stretch his matter so that it covers the jingle of barrel organs just outside—they are always just outside Oxonian lectures—and of quarrelling cabmen. He can compete with life and come off with banners flying. The sky spreads blue serenity flowering with summer clouds against his windows; he holds the young men's eyes. He is a fragile little man, whose manipulation of a large teacup looks a miracle; but under his ribs he is oak all through. His talk at times fills his eyes with flames; he loves to speak of the brawny and blonde barbarians who tore the muscles like squirming serpents from men's shoulders and bit into the bone-links of monsters. His yearning is for the days when strong men wore wide beards and fought together with spears. Of course, his habitat *would* be the Old School of Geography.

Then there is the Yes-and-No don, with the profile of Dante and the grace of Abelard. A bold generalization to him is the unpardonable sin. Always too much the scholar to make an unsupported assertion, he balances off the *ayes* with an equal phalanx of *noes;* buttresses his cathedrals of scholarship with so many supporting structures that the marvel of his aspiring Gothic mind is hard to discern. But buttresses themselves have their beauty. Another don is a man out of a Mediæval illumination, faded blue sweetness of a shy heart, a mind foliated with the exquisitely delicate and golden vines of the lessons in things. He divides life into seven jewels with seven virtues, and all Creation is a sermon. He is none the less a Mediæval preacher, though his subject is modern history. Akin to him is the one whose lecture on Dionysius the Areopagite is a Neo-Platonic ecstasy itself. Another makes his province the eighteenth century; his witticisms have the tang of rare snuff from filagreed snuff-boxes; his facts are marshalled as orderly as the hairs in a Town wig. He is a breath from the coffee houses. A man who looks perpetually as if his hair were coming off at all points and who has the shoulders of a drayman airs prejudices on authors delicate as rose petals; though his complexion is like beefsteak, Arnold and Ruskin are too burly and rough for him. One who has studied human nature unwashed in the

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twilights of South Sea jungles fits the savage into the pageant of man and shows the connection of cannibalism and Damon and Pythias, of "bull-roarers" and the Masonic societies. Another does little more than read dusty Italian chronicles in broken English among the broken shards from the Palace of the Axe; but the combination makes a magic thing. There is a lecturer who always lowers his head and mumbles whenever he comes to an important date or name. He is the despair of the women students, the determined note-gleaners. But the notes of his lectures, untroubled by the miasmas of time or personalities, sound like eternal truth and read like passages from the *City of God*. Cuthbert the Celibate is conspicuous both for his voluminous knowledge of the Church Fathers and for his voluminous, flaming beard. He wears the brown corded robe of the Cowley Fathers and loves to thunder forth the summer storms of Trismegistus, or breathe the West wind which is Augustine. At times Cuthbert grows militant and spends his hour demolishing the *dicta* of his Roman Catholic rival, setting the spires of the Church already High above the pinnacles of the Eternal City.

But the king of all lecturers has joined the ancient kings now, and his going has left a chair that is hard to fill. I do not think there is another man so remembered around the world for making milk and honey of learning as Sir Walter Raleigh. If ever a title became a man it was he. Men of the five continents will recall him sitting in Magdalen Hall below the portrait of Colet, another prince of humane letters such as he. And from the slender grace of the dashing Prince Rupert one's eyes could descend to another as splendid Cavalier. Sir Walter was at ease among the men who have worn the laces and swords and the wisdom of the world. His thoughts had a zest that made the heart glow. He was a great teacher and a great critic because he was a great man. The best lecture I ever heard was Sir Walter Raleigh's on Sir Walter Raleigh, the Elizabethan Poet, Warrior, and Gentleman. The years rolled back; and here was the splendid Courtier of the Great Queen bending over the desk in this tall gray-haired man with the broad brows and magnificent chin. Here was the elder Raleigh, and here was the dignity that wore a jovial face, the scholarliness that went in lace, the naiveté that sweetened robust

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manhood, the scorn of the mean and low, the religious fervor that went with great deeds, and the passion for all that was new and beautiful and graceful and shining; here was all that made the Elizabethan English the chief heirs of the Renaissance. It is good to have a contemporary of Shakespeare to listen to. And this later Raleigh went as lightheartedly and as superbly to meet the adventure of adventures as ever the other who wrote his best poem in the shadow of the scaffold. The last of his great books was the history of English wartime aviation, which he called the Romance of Youth. His own unending youth took him in his studies for the book to Mesopotamia where he contracted the fever that closed the pages of his work. And his last book was as full as his earlier ones with his abiding love of men who think and do like princes. All his life of teaching and writing, as well as his own example of living, was given to prove that the Scholar-Gentleman is the ideal in all English letters, from the first to the last; not Walt Whitman with his revolutionary morals and ideals, not the "learned barbarism" of modern specialized knowledge, had ever obscured that figure:

> There was something profoundly sane, after all, in the ambitions that built New Place and Abbotsford. At the close of a revolutionary century, now that the fogs of a crude moral theory are dissipating, and the dream of a mechanical Utopia, a mere nightmare produced by a surfeit of science, is passing away, it is time to remember our ancestry. Our proudest title is not that we are contemporaries of Darwin, but that we are the descendents of Shakespeare.

That ideal of the Courtier of the Best was the glory of the past and the hope of the years to come for all Englishmen, from the humblest to the highest-born. If ever there were a man of calmness in a troubled age, it was this great teacher. And in reading and resurrecting the past in his deep mellow voice, he was building also the future for who knows how many young men. Like all the great, under his courtly dignity he kept the secret places of his heart full of simplicity. And like them he had the gift of humor that is the salt of our earth. His lighter moments put the winds and the fragrances into the past. He was the Cavalier Scholar to the end.

Perhaps the finest thing about this fine man was his voice. He could make the dullest catalogues of facts read like one of the

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Psalms. Mellow and rich and golden, that voice could bring to life the seventeenth century and the men who made rhetoric the chief of the arts and the half of holiness. And Raleigh's words, like the words of the greatest literature, arranged themselves into something of the rhythm of all life, the cadence of the springing flowers, the movement of men's hearts and of the stars. He was the man for Milton, whose greatness is the greatness of the human voice. Milton was his favorite poet to read aloud; and the sublimity and thunder of the cataracts of beauty in *Paradise Lost* swept him along voice and soul, for his voice and soul, like Milton's, were twin harmonies and sons of awe. One will remember him always reading that terrible sermon of Donne's on the horror of falling out of the hands of the living God; his voice rising, falling, swelling the dread diapasons:

> That this God at last should let this soule goe away, as a smoake, as a vapour, as a bubble, and that then this soule cannot be a smoake, a vapour, nor a bubble, but must lie in darknesse, as long as the Lord of light is light itselfe, and never sparke of that light reach to my soule; What Tophet is not Paradise, what Brimstone is not Amber, what gnashing is not a comfort, what gnawing of the worme is not a tickling, what torment is not a marriage bed, to this damnation, to be secluded eternally, eternally, eternally from the sight of God?

Nor can one ever forget the pathos and the pity this kingly man put into other of Donne's wistful words on the fallen Jezebel:

> When a whirle-winde hath blowne the dust of the Church-yard into the Church, and the man sweeps out the dust of the Church into the Church-yard, who will undertake to sift those dusts again, and to pronounce, This is the Patrician, this is the noble flowre, and this the yeomanly, this the Plebeian bran? So is the death of *Jesabel* (*Jesabel* was a Queen) expressed; *They shall not say, this is Jesabel;* not only not wonder that it is, nor pity that it should be, but they shall not say, they shall not know, This is *Jesabel.*

All queenly things he loved. And Raleigh's voice was the organ where the old hymn of the kinship of all the ages in weal and woe could play its way into men's minds. He was one of those rare men who have raised college towers to the height of the cathedrals, who have set great learning beside great faith.

ROBERT P. TRISTRAM COFFIN.

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JEAN DE BALZAC

BY THE HON. MRS. GILBERT COLERIDGE

In the year 1654 the publishing house at the "Crown and Marigold" in St. Paul's Churchyard sent forth a volume of letters, translated by Sir Richard Baker from the French of Jean Louis Quez de Balzac. Speaking of the French edition, Ménage said, "*C'était le présent le plus agréable que les galants pussent faire à leur maîtresses,*" and Boileau wrote, "*On ne parle pas de M. Balzac simplement comme du plus éloquent des hommes de son siècle, mais comme du seul éloquent.*" Later criticism confirms these opinions, for Brunetière tells us, "*Balzac n'en reste pas moins considerable dans l'histoire de notre littérature et ces 'Lettres ou Dissertations' avec tous leurs défauts, demeurent au nombres des ouvrages qui ont fait faire en leur temps au progrès décisif à la prose française.*" In his dedication to Lord Newburge the translator claims "that the author's gold is so much overweight, that though much may be lost in the melting, yet it holds out weight enough still to make it currant." There is truth in this; for nearly every letter, and there are three hundred and fifty-five of them, contains some striking phrase, some point of view the interest of which remains in spite of the three centuries since their publication. Written for the most part from his quiet château in Angoulême, they are addressed to a diversity of persons, ranging from the great Cardinal Richelieu himself to the captivating and capricious "Clorinda." To this beautiful lady who scorned his suit he preaches the same sermon that found an echo across the Channel a few years later in his contemporary's lyric, "Gather ye rosebuds while ye may;" and at the age of twenty-three Balzac pours forth a diatribe against the terrors of old age that may well bring a chill to the heart of a woman. "Gather Nose-Gayes before the roses wither," he cries, "and assure yourself that when you have no further attractions than an eloquent tongue, no man will seek for them among the fur-

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rows of your face. . . . The time will come when your looking-glass will more scare you than a Judge doth a fellon." There is an unpleasant threat in the remark, "Yet can you not conserve your complexion and acquire experience;" and in his final appeal to Clorinda's cold-heartedness he explains, "We are in the Moneth wherein each Creature turneth amorous, not excepting Lions, Tygers or Philosophers." The month was May. Perhaps he would have been more successful in his suit if he had been like Clement Marot, who some hundred years before wrote the *Ballad of Maye*, the first verse of which in Mr. Wilfred Thorley's admirable translation runs as follows:

> Full gladye in the month of Maye
> The earth bestirs her and renews;
> Each lover, his old fondness fey,
> Seeks otherwise and hotly woos.
> Who in this wise his love pursues
> His head is light as anye feather.
> Another waye my heart doth use
> My love doth laste throughout alle weather.

But possibly Balzac was not only a springtime lover, for he writes later in the year, "I hold he loves not sufficiently who loves not excessively."

His affection for the country, if couched in somewhat artificial terms, is genuine enough, and the following description of Angoulême (in a letter to M. de la Motts Aigron) may be quoted at length both as an example of his style and of his appreciation. "Our people," he writes, "are not contained in their primitive innocence, either by fears of laws or study of sciences. They (to live uprightly) do simply follow their natural bounty, and draw more advantage from their ignorance of vice, than most of us do out of the knowledge of virtue, so as in the territory of two miles, they know not how to cozen any, save birds and beasts. . . . Those things which hurt the health of men, or offend their eyes, are generally banished hence; snakes nor lizards are never seen there, and of creeping things we know no other but Mellons and Strawberries. At the gates there is a grove, wherein at full moon there enters no more day than needs must not to make it night, and to cause all colours not to look

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black. . . . The trees here are green to the very ground. . . . Their branches are all beset with Turtle Doves and Pheasants. From thence I march into a Meddow, where I tread upon Tulipans and Anemons, having caused them to be mingled among other flowers to confirm my opinion which I brought home from my Travails, that French Flowers are not so fair as those of foreign Countreys. It is a Countrey to be wished for and painted." This is a remarkable point of view, at a time when a rural life was generally looked upon as banishment, and nature merely as an appanage to *fêtes champêtres*. Compare this with his description of court life, of which he writes: "It is in this sort I have learned to speak in this Court, where honest men are so wedded to their own particular interests, and do so little reflect upon the general affairs as they think there is nothing beyond the tips of their utmost hairs, and suppose the world endeth at their feet." He knew that if a man has aught to say, he best finds his message in the wilderness.

A courtier in words he remained always, and his letters to Richelieu are rich in fervid compliment and redundant praise. In 1622, when Richelieu had assumed the rank of Cardinal, he ends his congratulatory letter thus: "My Lord, if I have any hope to be known in after ages or that my name may pass to posterity, they shall find this consideration to be the first obligation unto me, of seeking the Honour of your acquaintance, and that having heard you speak, you did so absolutely purchase both my thought and affection, that since then I have ever reflected upon you, as an extraordinary person, and have ever passionately remained, My Lord, your humble, most obedient and most faithful servant, BALZAC." It was to the same Cardinal that he wrote, "It is better to utter glorious dreams, than to labour in gross designs," a spiritual ideal that can hardly have appealed to the master of the destiny of France. Nevertheless Richelieu undoubtedly valued the correspondence, for he wrote to Balzac from Paris in 1621 that "The conceptions of your letters are strong, and as transcendent above ordinary imaginations as they are conformable to the common sense of such who are of sound judgement." Apparently even the Princes of the Church are not above self praise in praising others.

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Men pass away, but their antipathies remain, and Balzac's letter to the Lord Bishop of Valette in the autumn of 1622, when Europe was engaged in the Thirty Years' War, might well have been written some three hundred years later: "If this were the first time the Germans had exceeded their limits, and sent their Armies to be overthrown in France, the novelty of these barbarous faces, and of those lubberly Swat Rutters, might easily have affrighted us: But upon the matter we have to do with known enemies, and who will suffer us to so sufficient advantages over them, besides those we naturally injoy, as without being forced to make use of Arms we may defeat them onely by their own evil conduct." He hopes that "a peace may be concluded, which may continue to the World's end. Let us leave the war to the Turk, and King of Persia." He at least was spared the strife that embraced not only Christendom but many of the kingdoms of the East. His methods would have been strictly diplomatic, for he tells us that "It is better to conceal a small truth, than to disturb a general peace," a maxim that many of our "truth at any price" publicists would do well to take to heart.

Balzac has a happy faculty of criticism. Of one man he writes: "He hath a nose at enmity with all others, and against which there is no possible defence but Spanish gloves." If this refers to boxing gloves, it reminds us of the old saying, "Three countries go to the making of a good glove. Spain to the dressing of the leather, France to the cutting of it, and England to the sewing of it." He might be writing of our own time when he tells his friend Hidasp, "There are hardly any to be found, who are contented to keep their faults and follies to themselves, or to sin in secret, but are so doting upon their own follies they do desire to engrave them in Marble and Brass, thereby to eternize their memory, and to make them past retracting." Though the fashion of "Marble and Brass" has passed away, the same desire for public confession finds scope in the craze for autobiography, and the vulgar publicity of the personal interview. Of a writer whose name he omits, he says: "I must ingeniously confess unto you, that next to Beer and Physic, I have never found anything so distasteful as his works. In three words he

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speaks four bad ones, and always strayeth from the subject whereof he treateth." Balzac also possessed that gift, rare among men, of being able to laugh at his own discomforts, for when attacked by a complaint no doubt contracted amid his leafy groves, he tells us that "Within the Deserts of Arabia, nor in the Seas intrails, was there ever so furious a Monster found as the Sciatica". Indeed the letters abound in apt similes and vivid turns of phrase, and Balzac succeeds in escaping the fate given to critical spirits by La Bruyère, who tells us that, "*Le plaisir de la critique nous ôte celui d'être vivement touchès de très belles choses.*" He was undoubtedly genuine in his admiration for his great contemporaries, and for the fair province in which he lived, and in an age of scholarly scepticism he had faith courageous enough to write, "How dare a man presume to speak confidently of that Infinite Majesty, in whose presence the angels themselves cover their faces with their wings, and under Whom the very Heavens crouch?"

Though his popularity may have waned, and though his light may have been partly extinguished by the shining genius of his great successor, his place is secure in the development of French literary history. His influence may be summed up in the words of *The Encyclopædia Britannica*, where it is stated that "He introduced a new clearness and precision into French prose, and encouraged the development of the language on national lines by emphazising its most idiomatic elements." If in life we can judge a man by his friends, after his death we can equally estimate him by his letters. Thus these letters of Balzac, rich in wit and learning, adorned by extravagant conceit and pungent phraseology, are to us a mirror in which we may catch some reflection of his mind no less than of the age in which he lived.

WINIFRED COLERIDGE.

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AMY LOWELL

BY MRS. WILLIAM LOWELL PUTNAM

My little sister—younger far than I—
So always mine to care for—your renown
So well deserved yet worn so modestly
Could never make you any less my own.
Your triumphings you told me with such pride
So certain of my gladness in your fame.
And when things troubled you—with eyes undried
For comforting to me you trusting came.
The light you saw ahead your only goal,
Followed so bravely by your weary feet!
Compelling spirit and farseeing soul;
Grown every year more childlike and more sweet!
You now are with the poets as your due—
But some of you must still stay with us too.

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NEW BOOKS REVIEWED

SOME POETRY OF THESE DAYS

A Poetry Recital. By James Stephens. New York: The Macmillan Company.

Voices of the Stones. By AE. New York: The Macmillan Company.

Earth Moods. By Hervey Allen. New York: Harper and Brothers.

Dionysus in Doubt. By Edwin Arlington Robinson. New York: The Macmillan Company.

A Fool i' the Forest. By Richard Aldington. New York: The Dial Press.

Out of the Flame. By Osbert Sitwell. New York: George H. Doran Company.

The Thirteenth Cæsar. By Sacheverell Sitwell. New York: George H. Doran Company.

What's O'clock. By Amy Lowell. Boston and New York: Houghton Mifflin Company.

A fine morning brings the postman, and the postman brings two books. They are by AE. and James Stephens whom AE. "discovered" while he was working as a typist for a lawyer in Dublin. They should arrive together. One thinks of that little brown book of verse dedicated to AE., the first book published years ago. This last book, *A Poetry Recital*, brings together certain favorites from earlier books, and offers eleven new poems. The actual voice of James Stephens himself reading some of these will not soon be forgotten by those who heard it. He does not read so much as reveal his lines; the nature of their rhythm, their delicate variety of values. In "Mary Hynes" for example, the modulations of statement and the increasing stress produce an intricate effect which is purely musical. But another effect will be a transparent monotony, as in that clear lyric called "The Daisies". There is something elfin, and something Elizabethan —the two are not incompatible—in the first line of this song;

In the scented bud of the morning-O. . . .

Through "Righteous Anger", on the other hand, there peers a gnome; whimsical and vindictive. Of the new poems, "On

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a Lonely Spray" is the most impressive. It is a sensitive and subtle development of a theme: "All that is loneliness is beautiful." The music implicit in this writing leaves no doubt to perplex the mind. It persists beyond the words themselves. Joseph Campbell says in a song of the "whisper of ferns' tongues",

> And still more I hear
> The silence.

Mr. Stephens wants certain poems of his to be read according to specific directions: "All line endings and verse endings or silences are to be well held." He knows the importance of the musical "rest".

In the poetry of AE., too, the silences are to be well held; and in more than one sense. For he can

> Take the invisible hand
> And tread the starry air.

One is reminded of Blake, glad to escape to London where he could carry forward his "visionary studies . . . unannoyed". He says, "To me this world is all one continued vision of fancy or imagination;" and so it is to George W. Russell. For him there is no gulf fixed between the physical and the spiritual. From these latest poems, too, emanates a quality described by Yeats as "a kind of scented flame consuming them from within".

> I made these verses in a rocky land,
> And I have named them Voices of the Stones,

so begins the dedication to Padraic Colum; and ends,

> and with my cheek
> Pressed to their roughness I had part regained
> My morning starriness, and made these songs
> Half from the hidden world and half from this.

In Hervey Allen's new book, the land of heart's desire is "in closer harmony with external things wearing a somberness distasteful to our race when it was young", as Hardy says in the passage quoted at the beginning of *Earth Moods*. These poems are very often convincing in their vigorous music, particularly the "Saga of the North" and the "Saga of Leif the Lucky". Be-

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tween bold paragraphs in unrhymed cadence look out a little shyly other paragraphs in the lyrical tone:

> Springtime and harvest
> Are not of men's setting,
> Autumn is often a century from Spring.
> Go plow the straight furrows
> You heroes and martyrs.
> Pluck hands from the seed bags
> You sowers—and fling.

There is fine continuity of thought, fine seriousness in the book, and a rare force of imagination. There are many lines that achieve an independent beauty; that may be singled out; as

> Southward Sidonian Hanno lashed his slaves

with its traditional ring; or, of the "Sea-Girls",

> They sought us like the wind in clothes.

And beyond the "black magnolia shade" of those poems of the other world I find again "Whim Alley" that

> Led into Danger Court,
> Loud with the raucous talk of cockatoos.

Mr. Allen is one of the most interesting of contemporary writers.

Somewhat aloof, Mr. Robinson continues to regard our temporary world so perplexing in its apparent permanence. *Dionysus in Doubt* is written with the same reserve we have known since we first read of Tilbury Town, and with the same grave beauty. The time has not yet come when the secret this poet has discovered may be shared. For there is implied in his various writing, something withheld; some mystery. And if one were to say to him, in his own line,

> If you are here to be mysterious . . .

why might not the answer be that he *is* here to be mysterious? Always he contrives to suggest the irony and the intricacy of life. It is in the inscrutable manner of these poems; in their not infrequent tenderness. The four dialogues, distinguished as they are in condensed style and dramatic detail, fail to admit the reader to any closer acquaintance with his philosophy than is found in other books of his. In the sonnets, on the other hand, I feel—illogically, it may be—a new poignance, as of violins with muted

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strings. It is in the much-quoted sonnet called "The Sheaves": and in "Silver Street": and in the concluding lines of "As it Looked Then":

> And it was then that like a spoken word
> Where there was none to speak, insensibly
> A flash of blue that might have been a bird
> Grew soon to the calm wonder of the sea. . . .
> Calm as a quiet sky that looked to be
> Arching a world where nothing had occurred.

Richard Aldington's last poem, *A Fool i' the Forest*, he calls a phantasmagoria; that word which Osbert Sitwell rhymes so cheerfully with Queen Victoria. It records a state of irritation with the world as it was in the days of the Queen and as it is now. It resents the strictures of those people who—in the words of another poet—quarrel with a purple hanging because it's no column from the Parthenon. Mr. Aldington explains in a note that the three characters of the poem, the typical man of our own time, and Mezzetin who is the personified imagination, and the Conjuror who stands for intellectual faculties and authority, are really one person split into three. He demands a true fool who has looked upon life as it is. Rejecting Scaramouche, he decides to be his own fool. Off we all go to the Parthenon, where Mezzetin loses his mandolin. I like the irresponsible Mezzetin and miss him when his adventures mediæval and modern are brought to an end by the late war. The central personality hurls the Conjuror into the Thames to drown—away with righteous cant! —and settles down to commonplace and commercialized existence. Mr. Aldington looks out at one in the passage describing London still asleep. Elsewhere in a line or a phrase he seems to be near.

> I towed the sea-gulls on elastic threads . . .

is a drawing in his earlier fastidious style. But the design of the poem is distorted. Like Eliot in *The Waste Land*, he defies the reader to make the poem.

There is something defiant, too, in the books by the two Sitwells: an arbitrary treatment of themes as a part of a scheme of fantastic decoration. Certain things are used symbolically; salamanders and goats, green oranges and honeycomb, the glass of

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waterfalls, of mirrors, of brittle metaphors. The apes and cockatoos of Watteau have become marmosets and parrots. If fruits are not wooden, they are so independently alive that they come off the trees and heap themselves into pyramids. Lacquered surfaces flash light. Waves "start to snow". It is an extraordinary response to the visible and to the invisible world. There is a kind of excitement about all this, a new kind of adventure. "Crack the mirror and we're in the rainbow." We cannot be sure that our eyes see colors alike: how then should we know one another? Let us remember the salamander, that true lover of art for whom Osbert Sitwell's book is named. This new collection is characterized by that almost automatic facility in satire which he has always shown: and it is written in the flickering tempo of living flame. The poems of his brother, in *The Thirteenth Cæsar*, are fuller, more profuse and less nervous. For the moment I like best the one "On Hearing Four Bands Play at once in a Public Square", with its laconic line

This is how philosophies can come among us.

The poems of the Sitwells should be read four ways at once.

Turning to *What's O'clock* by Amy Lowell, turning to her last book, I find it difficult to see it in terms of criticism. The effects in it are heightened, the silences prolonged. It is beautiful and final. It makes me think of her own descriptions of the Bronze Horses of St. Mark's, trotting forever forward without moving.

In using as a title those words of King Richard III, "What's o'clock?" it is as though she paused to look about her: to consider just what moment of her life she had reached. Many of these poems have appeared at intervals since 1921, the year of *Legends*. Some of them have not been published before. To read them together is to realize once more the challenge of a great personality. Here again is the rush of thought, that intense and crystal-sharp thinking; as though a flame were thinking. Here again are fearless words that sting the cheek and are gone like hail. There is never any genial pretense that one thing is much like another. There is the truth of the moment. "In Excelsis" has a crescendo like a wave lifting. It lifts . . . breaks . . . foam scatters on the air . . . light shines through it. But the

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light in "Afterglow" is softer and fades out, fails, through every word of one of the most exquisite of her poems.

> Peonies
> The strange pink colour of Chinese porcelains;
> Wonderful—the glow of them.
> But, my Dear, it is the pale blue larkspur
> Which swings windily against my heart.
> Other summers—
> And a cricket chirping in the grass.

Much has been said of her use of color and light but little of the significance of them. I have found less often appreciated or even surmised, the sheer emotional range of her poetry. People stop with the brilliant surface; they are content with one or two of her moods, with her style "warm, witty and full of invention" like that weather Keats said had been promised him in Devonshire. But there are the six sonnets for Duse, profound and sombre, with a mystery in them as of revelation:

> A rush of daffodils where wastes of dry leaves spread.

There is "Anniversary" with its proud reticence and tenderness:

> The bowl is still full.
> We will not be niggardly—
> Plunge in both your hands.

And there is "Lilacs", passionately felt and transcribed, at once universal and individual, a great poem, and the last she read aloud to her friends:

> Heart-leaves of lilac all over New England,
> Roots of lilac under all the soil of New England,
> Lilac in me because I am New England,
> Because my roots are in it,
> Because my flowers are for it,
> Because it is my country
> And I speak to it of itself
> And sing of it with my own voice
> Since certainly it is mine.

What's o'clock? she asks: and is answered. There follow words which have for us an implication of gallant gesture—of aristocratic mettle: significant words . . .

"Well, let it strike."

GRACE HAZARD CONKLING.

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SOME MODERN NOVELS

THE POLYGLOTS. By William Gerhardi. New York: Duffield and Company.

ARROWSMITH. By Sinclair Lewis. New York: Harcourt, Brace and Company.

THE GREAT PANDOLFO. By William J. Locke. New York: Dodd, Mead and Company.

THUS FAR. By J. C. Snaith. New York: D. Appleton and Company.

YOUNG MRS. CRUSE. By Viola Meynell. New York: Harcourt, Brace and Company.

If, after reading four or five recent novels—almost any four or five, of those that are presumably worth reading—one finds difficulty in analyzing one's impressions, the explanation may perhaps be found in a certain heterogeneity and confusion that besets the modern consciousness. No one seems to be a great enough artist to give a truly satisfying expression of the modern state of mind: perhaps it is incapable of such expression.

We are living, no doubt, in a period of "decadence". But the label matters very little: the classic writer is not classic because he is virtuous; and the decadent writer is not decadent because he is perverse. While no one may be excused for writing rubbish, each must "look into his heart and write".

What one appears to discover in such a group of fictions as the one I am discussing is the presence of two distinct tendencies: the tendency to perpetuate and modernize the older tradition and the tendency to break away from restraints and to smash the tradition. There is the beginning of a new and somewhat formidable movement, and there is the fag end of the older movement. However "classic" or conservative one may be in taste and temperament, one must acknowledge, I think, that the strength and creativeness lie mainly with the newer group of writers. They have thrown overboard most of the old themes and situations. They have given up fumbling with the old problems and mysteries—problems of social justice, the mystery of a maid's way with a man, the ever-fascinating question, Will she marry him? (and, if not, why not?) even the analysis of motives in the older, dignified sense of the word; and they have discovered new and terrifying problems and mysteries—which they leave unsolved.

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Their novels and short stories are exciting, shocking, inconclusive, expressive of painfully intense aspirations, disillusioned, cynical, disappointing, fractious—but not boring.

For a long time, one has been dimly conscious that some such book as *The Polyglots* would have to be written. It is as inevitable as *What Price Glory?* Now that it has been written, one is rather glad that it has been written, and that one has read it!

The most obvious, and also the most important remark to be made about *The Polyglots* is that it is unconscionably amusing. Such a novel as this without humor would be intolerable. By humor man saves his sanity when nothing else appears capable of preserving it. By humor, Mr. Gerhardi almost seems to believe, man proves his immortality. Thus, if you can swallow the humor, you can swallow the whole story with satisfaction—a feat implying, perhaps, a rather Gargantuan appetite for the ludicrous. But if you feel that Major Beastly with his "*stinks*" (he had a patent apparatus for burning his beard off instead of shaving) is merely sickening; if you cannot away with the disgustful amours of Uncle Emmanuel (who, when he had to occupy the same room with his wife remarked quite cheerfully, *A la guerre, comme à la guerre*); if you see in Aunt Theresa, who accomplished the impossible feat of carrying her husband, a military officer, safely off to a remote part of Asia after war had been declared, and who played consistently the two rôles of special Providence and chronic invalid—if you see in her nothing but a repulsively selfish old woman, the book is not for you; for you cannot assimilate humor in such unmeasured doses, and without humor the book is frightful.

Nowhere else in fiction has been represented such a complex of incompetence, idiocy, ineptitude, unmorality as in *The Polyglots*. Of course, all the persons of the story are without self-control; they merely drift; and in the end the story frankly "peters out". Such a thing couldn't have a "conclusion". But if you can laugh with the author, you can feel that the picture is not after all so terrible. Something profoundly human, if not spiritual, survives in these strange people, despite their inconsistencies and iniquities. Although it appears to be a mistake—and a rather unintelligent mistake—to enter upon active life

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with the prejudice that one cannot direct his own destiny, and thus to become the prey of impulses; yet when one has apparently discovered that as the result of a war and of the disturbances caused by that war, nothing that one can possibly do makes any real difference, then it may be that the general attitude of the people in Mr. Gerhardi's book shall seem not altogether ignoble. And some of the optimistic moralists certainly need to be told that there *are* situations that cannot be triumphed over by average humanity in the approved way!

In sum: the book is buoyant, which, considering that a large part of it must be more or less true, is a real triumph. But a great novel . . . ?

A more rationalized picture of life is presented by Mr. Sinclair Lewis in his robust novel, *Arrowsmith*—a story in which people, despite their share of absurdity and the necessity of releasing their suppressed wishes, really seem to have definable characters and more or less determinate motives. I should like to record at once my belief that *Arrowsmith* is a better novel than *Main Street* and a much better novel than *Babbitt.* There is a general effect of hollowness in *Babbitt:* it expresses certain attitudes, but as a whole does not appear to me to ring true. In *Arrowsmith* there is more substance, more conviction. For one thing the author discovers in *science* a reality that is worthy of respect. And when science comes into a story, I like to see it treated in this way; I do not like to have the scientific interest in a man's life play second fiddle to a sex interest, and in my opinion the sex-story in *Arrowsmith* gains immensely in freshness and charm through being subordinated to the narrative of scientific pursuits. Martin Arrowsmith, as adolescent, as young medical student, as disciple of Max Gottlieb, that inhumanly conscientious biologist who sometimes reflected that the germs he was bent on destroying might perhaps be more interesting and important than the human beings he was ostensibly bent on saving—Martin Arrowsmith as lover, as philanderer, as husband, as near-martyr to science, and as eternally dissatisfied human being, is fairly represented. He is not incredibly unmoral, nor is he a vehicle for sentiment. Yet the novel as a whole is a little more distressing than impressive.

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To speak bluntly, Mr. Lewis seems to be too intent upon the pursuit of shams to be consistently a great novelist. There is too much sham in the world as he discovers it. On the whole Mr. Gerhardi's terrible "Aunt Theresa" and his still more awful "Uncle Emmanuel" appear more consistent with the dignity of human nature than the self-seeking disciples of research and the amazing blatherskites that Mr. Lewis puts in as minor persons. A great novelist, one supposes, aims to find reality of a sort in nearly everything, and does not merely make exhibitions of any of his characters. A conscious effort to "show up" somebody or something seems nearly as incompatible with real imaginative power as an ambition to "show off" one's own cleverness—from which Mr. Lewis is happily free.

Yet it must be confessed that habituation to this later form of fiction tends to spoil one's taste for the more conventional forms of the art. It does not spoil one for Conrad, or Dostoievski, or Shakespeare, or even for Howells or Kipling, but it does perhaps dull one's appreciation of the more or less standardized good novel.

The Great Pandolfo, for example, strikes one merely as so good that it ought to be better. But then, could any one reasonably be expected to do this type of novel better than W. J. Locke has done it? If one follows at all in the footsteps of George Meredith or of Thomas Hardy, one is perhaps liable to discover that these writers have exploited a certain attitude toward life and a certain manner of writing almost to the limit. Either the attitude and form have been exhausted or the time-spirit mysteriously forbids the author himself to carry them on with further success. To regret the fact is neither useful nor wise. Though we may justly prefer Beethoven to all other composers of music, we can conceive that it is impossible for musicians to go on writing in the style of Beethoven, and though the Parthenon be superior to any modern building, still we must have modern buildings.

All this is meant, not at all as a disparagement of Mr. Locke's originality, but rather as a statement of what appears to be a general truth. In point of fact, *The Great Pandolfo* is in all conscience original enough; its intellectual quality is high and its subtlety of feeling adequate. The highly emotional tale is told

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with crispness and coolness, with restraint, with wit. Only it is a little hard to take its attitudes seriously.

Sir Victor Pandolfo is one of those great egoists who so readily hypnotize the imagination of novelists but who are so hard to portray with any real significance. In his tremendous self-assertiveness, his generosity (a phase, in this case, of egoism) and in his inability to conceive of failure, he reminds one of Alvan in *The Tragic Comedians*. But he is a much slighter figure; perhaps Mr. Locke had no such living model from which to draw him as had Meredith in Ferdinand Lassalle, the German Socialist. However this may be, Sir Victor, inventor, connoisseur, self-made man, is a little too much of a miracle worker and rather much of a boy to be quite convincing, and the author's admiration of him and rather feminine pity for him (as emotionally muddle-headed) are both a trifle too obvious. Such a personality, if we are to accept it, must have an authentic charm and must appear human through its struggles, but neither charm nor inner struggle are sufficiently evinced in being prodigiously learned about wines and Post-Raphaelite pictures, in securing first-class accommodations for oneself on trains and steamers, in producing a vast number of inventions with extreme facility, and in remembering the names of head-waiters. The point that Sir Victor, in the expansion of his ego, overwhelmed people with his benevolence and terrified them with his love is also perhaps overstressed.

To the worshipful Paula Field, a sort of Diana of the Crossways, embodiment of all lady-like excellencies, including a large heart and a great deal of feminine complexity controlled by a firm will, Pandolfo makes domineering love. That the lady is somewhat terrified is perhaps not to be wondered at. One scarcely needs her final confession to assure one of this fact: it is credible that no woman exactly likes to be immediately and irretrievably engulfed in a Pandolfo. Yet one cannot but feel a little impatient with Paula's exquisite hesitancies and her chaste refusal to understand her own heart. Perhaps the form of emotional experience seems today less romantic than it once did. Certainly, one feels occasionaly annoyed that Sir Victor's progress in the analysis of his "new metal" is rather obviously made

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to wait upon the convenience of Paula, lest anything should happen too soon for the proper conduct of the love story. (Of course, Paula, while she supposes that she *has* made up her mind, is really making it up all the time: this is proved when she agrees to marry her old admirer, Spencer Babington, and then gives it up as a bad job.) Whereas Mr. H. G. Wells would write, "While I was waiting to discover the results of the latest tests of Paulinium, I went down to Barham to see Susan"—or something to that effect—and then would plunge his reader into the midst of a highly emotional and erotic experience, Mr. Locke seems to imply that Sir Victor worked away at Paulinium in the intervals of his courtship because discovering and analyzing a new metal was rather easier for him than doing nothing and because it was his nature to work himself half to death. His love is at once intensely selfish in its desire for possession and chivalrous rather than erotic. Perhaps the former attitude is the more truly masculine.

The heart of this story is an emotional paradox of a not unfamiliar kind. Paula is terrified by Pandolfo, so much so that she cannot admit to herself the possibility of loving him; but when he has failed in his grandiose financial venture, when she can feel that he needs her, then she is drawn to him. Secure of her love, Pandolfo resumes his old self, and Paula finds that she loves him still. Thus she appears capricious while all the time she is true to her own womanly nature. That this version of the eternal sex drama can nowadays be made by any means to seem profoundly romantic, seems doubtful.

That the mystery-story of the Frankenstein type cannot now be successfully revitalized seems rather more certain; and it strikes one as a pity that Mr. Snaith, who is capable of writing with a degree of charm, should have expended energy upon such a task. His *Thus Far* is a serious absurdity, having all the weaknesses of the pseudo-scientific story and the detective story in one—the strain upon credulity, which only the imagination of a Poe can overcome, the stupidity, cowardice, and all-round incompetence of the supposed narrator of the tale (he has the "Dr. Watson" complex severely), the cocksureness and marvellous deductive faculty of the detective, the pitiful subordina-

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tion of a love-story that is meant to be passionate, (the author is actually reduced to referring to his heroine as "Dear Sybil"), and all the rest of it. It is hard to persuade oneself that the whole thing is not a travesty by Max Beerbohm. Lumsden, the detective, is exactly the sort of man to track down the Frankenstein monster of the tale in the same way that Jack the Giant Killer is the one person capable of slaying the giant, and for the same reason. Both pursuer and pursued belong to the same world of chimeras. Graham Delaforce is the only man who would create the monster of the story, as he is certainly the only scientist ever heard of who was equally eminent in physics, biology, and exploration. Casual references to the fourth dimension and to telepathy do not add to the plausibility of the tale.

But perhaps the trouble is not so much that Mr. Snaith does this sort of thing badly as that nowadays the thing simply cannot be done according to the old rules, the time-spirit forbidding. Who now can really write a good story according to the general formula of Sherlock Holmes or of *The Prisoner of Zenda?* To do the trick properly one must really be born into the age when such fiction is appropriate and truly expressive of a popular yearning. Otherwise the difficulty will be not so much that readers cannot be induced to read the particular kind of story in question as that the author cannot to save his soul write it with any effect. Radio amateurs, people who have at least heard of Einstein, those who live in the same world with Bernard Shaw and H. G. Wells, cannot be easily thrilled by a story like *Thus Far* and Mr. Snaith, living in the same intellectual atmosphere, is mysteriously prevented from making them thrill in spite of themselves.

But what in the modern world of letters is to be the fate of the traditional literary excellences—charm and perfection of expression, restraint, quiet artistry? These, certainly, are qualities which the newer fiction rather conspicuously lacks. The answer would still seem to be that for new wine we must have new bottles. As for the old wine, it cannot readily be produced on demand, because it is old!

The sincerity and fineness of perception, the mastery of form and the delicate exactness of effect achieved by Viola Meynell

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in her volume of short stories, *Young Mrs. Cruse*, are unmistakable. One does not, on the other hand, feel that the author lacks the depth or decisiveness of mind requisite to write with considerable power. Rather one questions whether any of the forms and manner employed can nowadays be made the vehicle for what De Quincey called the literature of power. As swift in movement and as economical of means as the tales of de Maupassant, each of Miss Meynell's stories makes its tiny point with distinction and artistic emphasis. But in every one the reader feels the lack of any driving force comparable to de Maupassant's sheer brutality, that naturalistic philosophy which—bad enough and false enough as a guide in life—did furnish, so to speak, fuel for his flame. Subtle—almost—as Henry James in her depiction of temperaments, Miss Meynell has neither his *diablerie*, his uncanniness, what one critic has called his "miching mallecho", nor any other strong bent or deep channel of feeling that might take the place of these qualities as a source of strength.

The story of "The Girl Who Was Liked" is, for example, as true as it is well told; its irony is as genuine as its humor is restrained. It is moreover wholly original. "And though time might pass and her beauty grow dim," says Miss Meynell of this unfortunate heroine, "the number of these (her admirers) never grew less, for she was blessed with that attractiveness which survives youth, and enjoyed a popularity which was to pursue her into old age." Surely no one has written in any story anything quite like this?

Is the quiet and leisurely enjoyment of this sort of literary sculpturing preferable on any grounds to the mingled pleasure and pain of reading tales about Winesburg, Ohio? It is a hard question to decide. We have, it would appear, on the one hand, many literary experiments and more or less whole-hearted attempts to revive old sources of interest; and on the other hand, the boisterous new literature. With these alternatives, so far as most contemporary fiction is concerned, it appears that we must be content.

CLARENCE H. GAINES.

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OUR DRAMA SINCE 1900

PLAYWRIGHTS OF THE NEW AMERICAN THEATRE. By Thomas H. Dickinson. New York: The Macmillan Co.

Twenty-five years have witnessed many changes in the American Theatre, but none more significant than the awakened interest in drama which is creating a more intelligent theatregoer. The country is to-day alive with people—in school and college, church and library—who follow intently experiments in writing, in production, both at home and abroad; and who read, in print, plays which set the standard of theatres in other countries than our own. The quarter century has seen an insurgency in the playhouse which has offered a wider outlet of expression, a greater freedom of creative will. In other words, our American Theatre—as measured by the competitive struggle which goes on yearly in New York—is not so wholly dominated by commercialism, that it has not room for such a personality as Eugene O'Neill, and such group endeavor as The Theatre Guild.

Mr. Dickinson's new book devotes the first hundred and twenty-three pages to an analysis of the work of Percy MacKaye as pioneer and of O'Neill as Prometheus Unbound. In the credit he gives to these two men he indicates the far road the American dramatist has travelled since the days when he was dictated to by the commercial manager of the old Theatre Trust. No estimate of MacKaye would be just that failed to recognize the amount of plowing he did over a field which seemed distressingly unfertile on the surface, the new methods he experimented with, the unshakable faith he possessed that the theatre had a social mission, and that the people had a mass aspiration which needed, through dramatic art, to find expression.

With painstaking thoroughness, Mr. Dickinson describes the output of O'Neill, good, bad and indifferent, and evolves therefrom what he considers to be the dramatist's social philosophy; and, if I read him aright, his conclusions place O'Neill in his healthy pessimism much nearer Strindberg than anything we have ever had of native origin. I cannot yet acknowledge

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O'Neill to be a master of form—though his experiment in form challenges interest; nor does one recognize in him a clear vision of the life which he tries to handle fundamentally. He can see the stars but an instant, because of the bitterness of reality—his irony is embedded in this angle. Yet no dramatist we have thus far had, possesses more interest in abstract ideas underlying palpitant situations than O'Neill. Being our one instance, in the American Theatre, of a continuity of purpose, there is a tendency to place O'Neill in almost finality of judgment. Whereas I believe he has still much to learn of life, much compassion to feel for life, much to explore that is nearer the divine than the Neanderthal.

One has only to know what the American Drama was before 1900—drama written after a pattern, drama catering to external interest, drama following the lines of least resistance, drama listening to and compromising with every taboo—to be thankful for the hope that Mr. Dickinson's book holds forth in the many other dramatists he discusses briefly, but always with personal conviction as to their value in the onward progress of the theatre. That one cannot always agree with him is no reason why his discussion should not be healthily invigorating and challenging. He is prone to conclude that certain points of view handled by our playwrights "just grew", like Topsy, instead of being influenced by others who pointed the way. "With Barker and Shaw," he writes, "Jesse Lynch Williams is the exponent of the brilliant idea in drama." Would it not be better to say "because of Barker and Shaw" this is so, remembering *Getting Married* and *The Madras House?* He claims that no man writing for the theatre has less of the theatre in his works than Augustus Thomas, not recalling perhaps those significant introductions Mr. Thomas has written for a Library Edition of his plays, wherein he shows how expertly he always veneered the chips of life with which he dealt into a theatrical commodity.

So we could go through this book disagreeing with Mr. Dickinson as to particulars, but in the end reaching conclusions not unlike his as to the healthful potentiality of the American Theatre at this very hour. In the previous books, he has shown himself to be interested not so much in the theatre as in the rea-

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sons for a theatre: this tendency to philosophize makes parts of the new book a little jumbled by side passages which divert the attention without being diverting. One could never accuse him of insularity, and yet there is an almost blind acceptance of the "American product" as the best the market affords; this enthusiasm is an excellent quality, not often to be found in his writing. And strange to say, where he allows it to reign, it runs away with his judgment. He brings a scientific analysis to many things that have no science to them; he is prone to pigeon-hole too closely; he launches great arguments against small dogmas. But none the less, in this plethora of material, which he has condensed into very small space, one finds his essential purpose: to indicate the new threads of a new drama, to assay the soil for the new drama. He has done his work thoroughly, alertly. In fact, sometimes we cannot see the drama for the names. Nevertheless, it is a careful diagnosis, with the conclusion that the patient is doing well, and, when full grown, will be better than ever. My only worry at present with the American Drama is its mental growth, its body of ideas. Technically, it has flowered beautifully since 1900.

MONTROSE J. MOSES.

A GERMAN REALIST

FABER, ODER DIE VERLORENEN JAHRE. By Jakob Wassermann. Berlin: S. Fischer Verlag.

BRANDER MATTHEWS used to like to tell the story of a French play in which Mama, always about to appear but never quite doing so, was the mainspring of the action. A character, reminiscent of the whimsical French comedy only in this particular, broods over the action of Jakob Wassermann's latest venture in fiction, *Faber, oder die verlorenen Jahre.* From the opening pages when Eugen Faber, after more than five years as a war prisoner in Siberia, returns home with a scowl on his handsome face and a gnawing fear at his heart because he thinks that the Princess has engaged his wife's affections to his exclusion, we realize that there must come a reckoning between these two

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forces in the novel. How inevitably the Germans interweave fairy-story elements with real things! The Princess's personality is effective; she radiates kindness, her presence heals, her soft but deep voice hushes strife, she is old and wise even to the point of clairvoyance; she is just the sort of person we all intend to be but never are. She has enemies, as all public-spirited people have. But opposition brought into her presence crumbles, abases itself, kisses her hand, and says, "I have sinned". Thus in a plot abounding in real motives, Faber's social rehabilitation is brought about through the influence of this fabled person and is completed in the closing pages of the book when we together with him see her for the first time in the flesh. He utters his *mea culpa*, and under the magic of her keen old eyes murmurs himself the formula for his release.

Fortunately there is even greater magic in the book—genuine human nature. Real life glares through this tinsel of fairyland in a most satisfactory way. For the Fabers, you must know, are honest-to-goodness people, with an unusual amount of mother wit, to be sure, but with accompanying faults and weaknesses which bring them within the realm of ordinary mortals. The eccentricities of the family come from an emancipated mother who, in rearing her children, has carried the principle of self-determination to such a point that right and wrong have become stale and unprofitable conceptions. The result is a quartet of unreconcilable individualists who are particularly adroit at working their own destruction. "We had freedom," Eugen says, "more than we desired. We were brought up even without religion, in order that our minds might suffer no constraint. . . . One, in the first wild enthusiasm, threw his life away for his science; the second went to ruin for a bad woman; the third sold herself into marriage without love and is now convenanting with the Church." The fourth, the hero, has tied his life into such a Gordian knot that apparently there is no peaceful way of straightening it out.

Into this family group there comes by adoption the one possible person for whom such upbringing has no influence either for good or for evil. So transcendant a nature as Martina we seldom meet, even in novels. She constitutes one of the puzzles of the

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plot, and long discussions between the two people who know her best are necessary before we comprehend her nature. It was to be expected that she and Eugen would marry; it is also quite as clear that, while they can not live without each other, their dispositions offer the differences which form the hitch to the plot. Two other people complete the scant number of characters: honest Jakob Flemming, who can not endure to contemplate the Fabers' reversal of the processes of education and has eventually given up his position as tutor in the family, to which he remains, however, forever devoted; and Fides, the Junker's daughter, whose marriage to a parlor Bolshevist makes her in a short time a widow and recluse, and leads her to take refuge in Martina's home.

The economy in characters allows the author space to develop those he has. They are not the brain children of a romancer, or, if they are, they are at least convincing. Eugen Faber's doubts and fears come to be very genuine to us eventually. To the gall of prolonged absence from the one person he loved is added the wormwood of changed conditions which have left him out of account. His fellow citizens have rearranged their world in his absence and he is faced only with the choice of accepting or refusing what he finds. Not being a negating spirit, being indeed a reasonable person in general, he really wants to accept the *fait accompli*. He would do it, only it seems to require at the same time the concession of his claim on his wife's interest. He has known for some time before his return that she is active in a new enterprise, a mammoth scheme engineered by the Princess to reclaim neglected children. Knowing his wife's preoccupation with her own home ties, and her disinclination to look on the misery of the world, he is unable to conceive how the Martina he left behind could have become involved in such affairs. He feels the sting of a jealousy which is no less real because there is no man in the case; he is baffled and falls a prey to unwonted follies by reason of the very intangibility of his troubles. Another wife than Martina might have clarified his mind. But she is one of the naïve souls who never reason about things, or if they do have processes of ratiocination, are unable to give words to them. Her inner life is one of intuition. She acts but does not talk. All that she says in the course of the novel would scarcely fill half a

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page. And still, so irreproachable, so refreshing, genuine, and charming is Martina that we delight in her, and feel therefore the poignancy of Eugen's longing to be at one with her again. The attainment of that desideratum gets, to all intents, further away as the story progresses. At the moment when the *dea ex machina* intervenes, Eugen is on the point of rendering a solution impossible and making everybody permanently unhappy.

It might be well to say just here that Wassermann has not drawn on the tragic buskins in presenting the story of the Faber family. Nothing much remains of the proud prospects which Anna Faber cherished for her gifted children; but then, what is there in the way of prospects in post bellum Germany anyway? Her disappointment strikes us as a part of the common misery; and while we hear of that in a way, our novelist prevents it from obtruding on his purely private story. Wassermann has little of the broad epic sweep. He deals rather with social problems in the narrower sense, and the bigger matters of racial or national mutations he leaves to another. Germany-since-the-war has had its historians and novelists, its embittered playwrights who can not shut out from their inner eye the social refuse resulting from the war any more than they can be blind to the filth now lying around on Germany's once spotless streets. Wassermann's eyes are no doubt as good as those of any other observer of the times. But his vision of life is comprehensive enough for him to be able to relegate the transitory to its place. Hence in *Faber* the political conditions are only the surf that beats on the shore of these lives. Now and then some flotsam is thrown up, perhaps even wreckage which changes the relations of things generally. But in the main, the people go on loving, hoping, hating, within sound of this never-resting sea much as they would elsewhere.

It is a truism that the German novelist turns his eyes preferably inward. In this respect Wassermann can not deny his nationality. Be it said, however, that he has learned to keep the liaison between the world of the mind and that of objective things in better working order than was the case with his earlier works. He has gained immensely in plausibility. His characters still wander through their earthly pilgrimage in that state of moral serenity which is the despair of us ordinary mortals—a superman

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superiority which has somehow never thrived among us and leaves us Americans cold; but such unhallowed figures as were to be found in *The Goose Man*, for instance, are spared us. *Faber* is a more compact story. Wassermann has here accomplished the unheard-of feat of writing a German novel of less than three hundred pages. This ideal of brevity (I can not believe that it was a fortuitous occurrence) has acted on his creative ability with the refreshing grace of morning dew: the characters live, but have not the space to develop into caricatures, the action keeps to the main thoroughfare instead of turning down every bridle path. The action keeps to the highway, but it does not hurry. The problem is largely one of waiting; Eugen has to accustom himself to the new state of affairs. This gives time for long talks, even narrations, which are just a little out of tune with the rest of the book. The "Story of Fides" sounds like one of the digressions of *Wilhelm Meister* or some other Eighteenth Century fiction.

H. W. PUCKETT.

STUDIES IN HISTORY

THE GROWTH OF THE UNITED STATES. By Ralph Volney Harlow. New York: Henry Holt and Company.

POLITICAL AND SOCIAL HISTORY OF THE UNITED STATES. Two volumes. 1492–1828, By Homer C. Hockett. 1829–1925, By Arthur M. Schlesinger. New York: The Macmillan Company.

A HISTORY OF THE UNITED STATES. By Edward Channing. Vol. VI: The War for Southern Independence. New York: The Macmillan Company.

GREAT BRITAIN AND THE AMERICAN CIVIL WAR. By Ephraim Douglass Adams, Ph.D. Two volumes. New York: Longmans, Green and Company.

EDWARD EVERETT: Orator and Statesman. By Paul Revere Frothingham. Boston and New York: Houghton Mifflin Company.

THE PUBLIC LIFE. By J. A. Spender. Two volumes. New York: Frederick A. Stokes Company.

THEN AND NOW. By Mrs. H. A. L. Fisher. With an Introduction by the Rt. Hon. David Lloyd George. London and New York: Oxford University Press.

INTERNATIONAL ECONOMIC POLICIES. By William Smith Culbertson. New York: D. Appleton and Company.

HISTORY is a science of Protean phases, as numerous and as diverse as those of the *comédie humaine*. It ranges from barest

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chronology to the most opulent and profound philosophy. It deals not alone with events, but also with their antecedents, their circumstances, their results. It tells not only what happened, and when, and where, and by whom it was effected, but also why it happened, and what were its results. It is a chronicle and a criticism; a record and an analysis. It is ethnological, political, military, religious, social, industrial, intellectual, moral, economic. Not every history book, of course, comprises all these characteristics. Indeed, not one could do so, adequately. But every one must partake of one or more of them, and that one will be most perfect which presents its own especial phase or phases most completely with most just regard for those which it is compelled to omit. Thus it has come to pass that history writers, instead of being integral and universal geniuses, such as Herodotus and Livy, have become classified, as are lawyers and physicians, into general practitioners and specialists, with the latter increasingly outnumbering the former. And of each class, he is most successful who applies himself most discreetly to its functions and meddles least with those of others.

Thus Mr. Harlow's *Growth of the United States* is on the whole an excellent example of the work of the general practitioner, with no specialties whatever. He aims to give us in a single encyclopædic volume a conspectus of all phases of American development from Christopher Columbus to Calvin Coolidge. That is a tremendous undertaking, like the burden of the Weary Titan, "almost too great to be borne". If it has not been performed as well as others have performed less formidable tasks, we must at least pay it high tribute for having been done as well as it has. There is generally good discrimination in selection of what to include and what to omit for lack of space, and a style notably readable for a book subject to so vast compression. The faults of the author, which are at times too serious to be ignored, are chiefly those of touching upon matters which should have been left to specialists, being too cocksure of highly controversial matters, and omitting some essential facts. Thus the author is entitled to his opinion that the course of the United States in the Texan Revolution was scrupulously correct, and that the imputation that the affair was instigated from Washington is absurd;

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but it is not commendable to express it in a serious history without being able to devote a few pages to his reasons for it. To say that "In 1819, in return for Florida, the United States relinquished all claim to Texas, and John Quincy Adams promptly tried to buy the country back," is lamentably misleading without the explanation that Adams at first secured not only cession of Florida but also recognition of our claim to Texas, but was compelled by an unworthy political cabal in the Cabinet to modify the treaty with renunciation of Texas, in order that he might not gain too great political prestige to suit his jealous rivals. To describe Hinton Rowan Helper as merely "a poor white of North Carolina" is in fact inaccurate and in implication ridiculous. To mention Hood's defeat at Atlanta, with not a single word about his subsequent campaign and the titanic cataclysm at Nashville, and to tell of Dewey's friction with Diedrichs at Manila without so much as referring to Chichester, are much like *Hamlet* with at least the Ghost and Horatius left out. Despite such blemishes, however, which are generally so obvious as to correct themselves, the work is of genuine value.

The political and social interests of a nation are so comprehensive that a *Political and Social History of the United States*, as the work by Messrs. Hockett and Schlesinger is styled, should closely approximate the ideal of the general practitioner; as indeed this does. The military, industrial, commercial, financial, and almost all other phases of human activity and progress, are considered, of necessity with conciseness, yet with a fulness which will probably prove sufficient for the average reader, while for the reader interested in special topics there are abundant suggestions in the text and at the close of each chapter a classified bibliography of authorities which will prove of immense service to students. The chief defects of a generally admirable work are found in the second volume, by Professor Schlesinger, which contains some misapprehensions so extraordinary as to challenge curiosity and bewilderment as to their origin. Thus we find the amazing statement that by the Clayton-Bulwer Treaty of 1850 "Great Britain yielded her recent territorial claims." The fact is, of course, that that was precisely what Great Britain did not do. Clayton doubtless thought that she did. But Bulwer

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never intended that she should. It was to avoid a demand that she should do so that Lord Clarendon sent Bulwer over to negotiate with Clayton at Washington, instead of himself negotiating in London with Abbott Lawrence, who knew the invalidity of the British pretensions from A to Izzard and over whose keen Yankee eyes it would have been impossible to pull even a shred of diplomatic wool. The whole great and prolonged controversy which followed the making of that treaty arose over that very point—Great Britain's insistence that the treaty did not require relinquishment of any of her existing claims, in Honduras, in Guatemala, or on the Mosquito Coast of Nicaragua. And in that insistence, Great Britain prevailed, her three Ouseley treaties, with Honduras, Guatemala and Nicaragua, not only confirming those claims but actually extending some of them; in the making of which treaties President Buchanan cordially acquiesced!

Another even more deplorable, if not actually mischievous, treatment of an important event occurs in connection with the history of the Panama Canal. Here is the substance of the story, as told by Professor Schlesinger:

> The Colombian Senate, acting within its undoubted constitutional rights, unanimously rejected the (Hay-Herran) treaty. . . . The decision of Colombia enraged Roosevelt. . . . On November 2 the United States cruiser *Nashville* arrived in the harbor of Colon. The next evening occurred a bloodless revolution in the city of Panama. . . . On the fourth, United States marines from the *Nashville* prevented the transportation of Colombian troops from Colon to the seat of trouble. Two days later the United States Government recognized the new Republic of Panama, and on November 18 a canal treaty was arranged. . . . Colombia's resentment over the high-handed procedure of the United States continued unabated for several years.

There is not a statement in that quotation that is not technically true; excepting that Roosevelt was "enraged", which he was not, and excepting the imputation of "high-handed" conduct to the United States. There is not one the implication of which is not utterly at variance with historic truth. The essential facts which the author strangely ignores are these: That the Colombian Senate rejected the treaty under the influence of a third Power's intrigues, and for the confessed purpose of delaying matters until it could confiscate the canal property and get for itself the sum we purposed to pay to the French company; that the *Nash-*

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ville was sent to Colon, as vessels had been sent thither many times before, to protect American interests in the revolution which the whole world had for weeks known to be impending, its arrival there having no more to do with the outbreak than had the last eclipse of the moon; that the American marines did not prevent the transportation of the Colombians, but merely, in fulfilment of treaty rights and duties, forbade either party to the revolution to make military use of the neutral railroad; and that the Colombian Government a few weeks later, through its accredited special envoy, admitted that the Senate's rejection of the treaty had been an arbitrary act, committed under false pretences. If the author was writing as a general practitioner, he should have omitted much that he says; if he was writing as a specialist, he should have said enough more to substantiate—if he could—his amazing implications against his own country.

Mr. Channing, in the sixth volume of his *History of the United States*, covering the momentous period from 1850 to 1865, continues with much success his efforts to write the august narrative in the style of a general practitioner with incidental specialization. He has a fine faculty of summarizing, so as often to put into a single paragraph an array of facts which many writers would expand into a chapter, and to do so without seeming crowded or dry. The result is a narrative style which if not luminous is always lucid, and if not often picturesque or dramatic is at least interesting and convincing. There are, of course, some defects; as in what history are there not? Thus we find the strange statement that Narciso Lopez, the Cuban revolutionist, was himself a Cuban; which he certainly was not. We had supposed that all the world knew that he was a Venezuelan, a disciple of Simon Bolivar, and afterward a distinguished officer of the royal army in Peninsular Spain, before entering Cuba. Moreover, the highly important relations between the United States people and Government and the revolutionary attempts of Lopez are so inadequately set forth as to give no true conception of them. On the other hand there is a notably fine account of Helper and his *Impending Conflict*, in welcome contrast to the slighting mention in another book to which we have here-

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tofore referred; and there is cause for grateful exultation to find Mr. Channing discarding the hoary fiction about the purpose of the Russian ships' visit to New York during the Civil War, which was invented by unscrupulous factionists for a sinister purpose and which has been swallowed, hook, line, bob and sinker, by many writers and speakers who should have known better than to be caught by so obviously and ridiculously false a lure.

Another writer who records with even more circumstantial accuracy that much misrepresented incident is Professor Adams, in his history of *Great Britain and the American Civil War;* but that is merely typical of a compendious work which we may without exaggeration describe as monumental. It marks an epoch in the world's understanding of the history of those five crucial years. That is because for the first time an American scholar, possessed not only of indefatigable industry and patience in research but also of a discriminating, judicious and impartial mind, has studied the subject from the British point of view as well as the American, and has had access to a wealth of original sources never before available. These sources include the private papers of Palmerston, Russell, Lyons, Gladstone and other British statesmen, and of James M. Mason, the Confederate envoy, and a great mass of diplomatic correspondence at Washington and elsewhere. The result is to correct some errors, to confirm into confident beliefs some mere suppositions, and to illumine much that has hitherto been dark.

Among the conspicuous services which these opulent volumes render may be mentioned first in order of time the reminder, hitherto too much ignored, of the impression which was inevitably and most pardonably produced upon the British mind by the accession to the Presidency of a man who was almost entirely unknown in Great Britian, save through generally unfavorable reports, and by his appointment as Secretary of State of a man long known as much given to "twisting the British Lion's tail" and whose first important suggestion to his chief was that America should seek a quarrel and begin a war with England. It was impossible that in such circumstances Great Britain should regard Lincoln's administration with unhesitating confidence or with affectionate esteem. Nor was its view likely to be made more

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favorable by Seward's strangely inept proposal concerning the Declaration of Paris. The attitude of Great Britain was, not unnaturally nor unreasonably, that of the man from Missouri. It had to be shown before it would believe.

That does not, of course, excuse those, who were unhappily neither few nor obscure, who declined to believe even after they had been shown. Strong as it is, we must approve John Bright's indignant denunciation of the "vile speech" with which William E. Gladstone sought to arouse public sentiment in England against the United States, and to open the way for that British recognition of Confederate independence which he so greatly desired, and which would probably have been followed by armed British intervention in behalf of the South. Russell was more friendly; or more honest. But even he was a long time, and a long time after the masses of the British people, in recognizing the righteousness of the national cause, and the possibility and practicability of a complete restoration.

The one colossal figure in the drama, however, is that of the American Minister. Not always hitherto has Adams received the credit and the honor due to him for his more than heroic achievements. Not always has he been recognized as the abundantly worthy son of the most puissant diplomat America has ever known. In the luminous pages of this historian,—who is his namesake but not, we believe, his kinsman,—we hear in Charles Francis the voice, we feel in him the hand, we see in him the resolute attitude, we recognize in him the intrepid spirit, of John Quincy when reading the eviction act to Russia or defying the Holy Alliance with the Monroe Doctrine. Unemotional, unsentimental, inexorable, with a mind that was a "clear, cold logic-engine," he was to the British statesmen a reincarnation of that American spirit which more than once or twice before in earlier years had contended with their predecessors in war or in peace, and had never yet been beaten.

From so masterly an example of the specialist's work in history we might seem to pass to another specialized work in Paul Revere Frothingham's *Edward Everett*, described as the first and definitive life of that orator and statesman. From the obvious point of view, no doubt, a biography is a specialized work; but

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in this case it must be otherwise regarded. For Everett himself was no specialist. He touched life at many different points. Probably most people now think of him as an orator; and such he was, of distinguished rank in the very Golden Age of American oratory. But what else? Minister of the famous Brattle Street Congregational Church in Boston; Professor of Greek at Harvard; Editor of THE NORTH AMERICAN REVIEW; Representative in Congress; Governor of Massachusetts; Minister to England; President of Harvard; Secretary of State; United States Senator; European traveler, poet, publicist, orator—of a truth, a biography of him must be a suggestive if not comprehensive political and diplomatic, intellectual, religious, literary and social record of his times; demanding the activities of a general practitioner historian. Dr. Frothingham has produced a volume which was much needed, both for Everett's sake and as a general picture of perhaps the most interesting half century of our national life. And it would be difficult to find a subject whose biography would present a more varied, intimate and vital picture of American life in the middle part of the last century. How widely he touched the world is suggested by two brief citations, far separated. When he was Editor of THE NORTH AMERICAN REVIEW he proudly wrote to Henry Clay concerning it and the influence which he exerted through it:

> I believe I may say there is not a social library, reading-room, literary club, mess-room, or public institution in any degree connected with politics or learning which it does not reach.

A generation later, Macaulay wrote him from England, anticipating a visit from him:

> I assure you that there is not a breakfast party, assembled by any of your old friends, at which the probability of your paying England a visit is not discussed . . . . A line from you is the best passport into the best society of London . . . . I am sure that you can do more than any other living man to promote good feeling between New England and Old England, and we are both, I am confident, equally convinced that the concord of the two great branches of the English race is of the highest importance to the happiness of both.

Mr. Spender is almost as well known, as a publicist, essayist and historian, in America as in England, and his handsome

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volumes on *The Public Life* must have almost as strong an appeal to interest here as there. Indeed, many of the chapter subjects are either directly American, such as "The American Constitution and Its Result," "Cleveland and Roosevelt," and "Woodrow Wilson," or else indirectly but no less intimately of interest to Americans. He discusses public men in their various capacities, in peace and in war, and in connection with the great events and processes of the last hundred years, the functions of Parliament and other national legislatures, diplomacy, politics and foreign affairs, politics and religion, international morality, revolutions, and, in some respects most striking of all, the relation of the Press to these things. Truly, it is a portrayal and a discussion of "the public life" in all its important phases; but while thus the work as a whole must be that of the general practitioner, each one of these varied aspects of public life is treated with the authority of the specialist. A fine example of his keen insight and sound judgment, even of non-English affairs, is found in the course of his consideration of Lincoln:

> It is extremely improbable that if Lincoln had been a Prime Minister in the European sense he would have survived the first two years of the war. Impatience at the unpreparedness of the Government and the ineffective conduct of the war found loud and angry expression; and he was charged alternately with meddling with the soldiers and with failing to assert his authority. At the same time political zealots were furious at the deep and patient wisdom with which he refused to force the question of Abolition until the military situation was ripe for it. Had his position depended on Cabinet solidarity or a vote in Congress, he would have lived the same precarious life as any European Minister during the first two years of the Great War.

That is absolutely true, and it is to be earnestly commended to the consideration of those who profess a preference for the European Ministerial-Parliamentary system, over our own system of an independent Executive with a fixed term. All the way through his volumes, indeed, Mr. Spender offers information, reminder, admonition, inspiration, as apt and as profitable to the American as to the British reader; and all with a red-blooded vivacity, a clarity of style, and a wealth of recollection and knowledge which charm the reader and provoke unceasing admiration.

Mrs. Fisher's little volume on *Then and Now* is, unlike Mr.

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Spender's work, devoted entirely to British affairs, and therefore appeals to Americans only in as much as they are concerned with the history and the interests of Great Britain. To how great an extent they are thus concerned, however, is suggested by the fact that the volume draws comparisons and contrasts between British conditions, problems and settlements at the end of the Napoleonic Wars and those at the end of the World War. It is of profitable interest to recall the enactment of the Corn Laws and then the agitation against them, in comparison with the present movements toward some measure of Protection; the high rents and scarcity of housing which then prevailed, even as they do now; the enlargement of the franchise, which seemed then as revolutionary as "votes for women" in our time; the "terror" of the French Revolution, which was no less marked than the menace of Red Bolshevism today; and the appalling amount of unemployment and pauperism, which then provided antetypes of the unemployment and the disastrous dole system of the present time. Not a few of the matters discussed are of importance to Americans by way of example and warning, while the entire volume will give to American readers a more complete and just appreciation of the trying problems with which the British Government now has to deal, and will thus conduce to better mutual understanding between the nations.

Mr. Culbertson's *International Economic Policies* is, as the sub-title suggests, a survey of the economics of diplomacy, and is therefore partly historical, partly analytic, and always philosophical. We have heard much in recent years about the economic causes of wars; ever since Cobden put forth Free Trade as the sure basis and guarantee of perpetual and universal peace. Beyond doubt, competition for markets and for possession of the sources of supplies of raw materials, and the quest for concessions and loans, both profoundly and acutely affect the relations between countries, and are often potential causes of wars. The scope of the present volume is suggested by some of the topics: The most-favored-nation treatment, tariff bargainings and tariff wars, Protection and preference, the open door and the closed door, foreign loans and investments, and shipping policies and regulations. Upon all of these Mr. Culbertson writes with ex-

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pert authority, and with a most commendable purpose to present both sides of every controversial subject, regardless of his personal opinions. Perhaps one of the most impressive reflections caused by perusal of the work is the important bearing of past experiences upon present conditions and problems. A review of the record of tariffs, commercial treaties, international loans, and what not is little short of bewildering because of their multiplicity; yet there is scarcely an item which does not suggest something worthy of consideration in connection with the problems and transactions of today. There is little in it that is picturesque, dramatic or entertaining; but there is nothing that is not valuably informing and directly pertinent to our own present national interests. It is economic history raised to the *n*th degree, most timely when so many formidable if not authoritative voices are proclaiming that economic considerations dominate and direct the progress of the world.

WILLIS FLETCHER JOHNSON.

CRITICISM AND LETTERS

THE COLLECTED ESSAYS AND PAPERS OF GEORGE SAINTSBURY 1875–1923. Vol. IV. New York: Charles Scribner's Sons.

LETTERS OF JAMES BOSWELL. Collected and Edited by Chauncey B. Tinker. Two Volumes. New York: Oxford University Press.

IT would be idle to maintain that this last volume of *The Collected Essays and Papers of George Saintsbury* contributes distinctly new knowledge either concerning literature or concerning Mr. Saintsbury. Of the eleven essays in this book ("Essays in French Literature"), only two were written after 1900. All have been widely read, frequently reviewed, and Mr. Saintsbury, according to his custom, has somewhat revised his impressions. "One cannot be always studying one's own works", says Matthew Arnold, and on the whole Mr. Saintsbury is not so engaged. Yet he certainly finds odd moments in which to correct and annotate his judgments of thirty years past. This he has done in all these four volumes, with many a note and bit of scholarly autobiography. Interesting as this process is it

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cannot counterbalance the feeling that, after all, the essay on Baudelaire was written in 1875 and that on Flaubert in 1878. The chief value of this book is then probably what Mr. Saintsbury expected it to be, though he cannot refrain from addenda: a complete record of a learned scholar's comments in the medium of the essay.

I say that we are familiar with these excellent judgments on books; and that we are equally at home in their author's method of writing. Here are these mighty sentences rumbling along with their freight of quotations from Greek and Latin, their scholarly jests, their parenthetical exclamations, their allusions, italics, and neology. Here on every page is the plunder of a long life of reading. Here are that kindliness, that enthusiasm for literature, and that solid fact which may make other critics despair. And here also, among tributes to Matthew Arnold, is a ponderous explicitness that would have interested that elegant Jeremiah. No one can read Mr. Saintsbury without feeling ignorant; no one can read him without feeling the reality of the world of literature; and no one can read him without wishing to say the same things more simply.

The significance, then, of these essays amounts really to that of contemporary criticism. For although the essay on Baudelaire is dated 1875 Mr. Saintsbury points out that he wrote much of it when, in 1866, he received from Paris the second edition of *Fleurs du Mal.* The essay on "Flaubert" pleased this writer when it first appeared in *The Fortnightly Review* in 1878. This flavor of the past is true of many of the later essays; footnotes will not save or condemn them; they belong to the history of criticism, and may be compared profitably with later verdicts.

Thus it is interesting to notice Mr. Saintsbury's eloquent appeal at the end of "Charles Baudelaire" for intense study of him by English writers. He recommends for the "profane devotion" of the Englishman who would remind himself repeatedly of the artistic ideal, an intimacy with Baudelaire. "His work," says Mr. Saintsbury, "measured by volume is not great. But in that work there is no line of careless or thoughtless execution, no paragraph where taste or principle has been sacrificed for praise or pay, for fear or favor, no page where the humanist and

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literary ideal is not steadily kept in view and exemplified. Valuable as he is for private study with no further end, he should be yet more valuable and productive of multiplied delight as a model and a stimulant." This is good counsel for the Philistine, and Matthew Arnold may have nodded approvingly, though he preferred the De Guérins. As the storm about the evil Baudelaire has abated, is this not precisely his place in the federated literatures of the world?

This is finally what we feel most strongly about Mr. Saintsbury's services as a critic. In the essay on "St. Evremond", in those on "Renan" and "A Frame of Miniatures", and especially in the essay on "English and French Literature", he has a keen eye for that artistic point of view which many an English critic dismisses as alien. No one feels more than he the existence of the Channel, but his repetition of Matthew Arnold's dictum that English literature must see itself in terms of French literature, is impressive, and must have borne fruit. Thus in the paper on "Flaubert", which in its synopses of plots suggests that he was talking in 1878 to somewhat deaf ears, and reminds us of Arnold's alphabetical exposition of Tolstoi, he attacks the rejection of Flaubert on the ground of mere "unpleasantness". "The ordinary novel," he says firmly, "is a compromise and a convention. Of compromises and conventions Flaubert knows nothing." With much the same spirit he analyses in "English and French Literature" the English character, with an impartiality, it seems to me, which might do credit to some outsider who had passed half his time in France and half in England. He explains unanswerably why there should never be an "English Academy". It is a mistake to think that Mr. Saintsbury's learning had dulled his culture; he is a stout warrior for εὐφυΐα. For this reason, I for one shall have his *Collected Essays* on my shelves—yes, and eventually, I trust, his *Collected Works*.

It is with a vivid sense of the obvious truth in the vast difference between a critic and an editor that we turn to the *Letters of James Boswell*. Here is no discourse, no analysis, no speculation, but the thing itself: one man of letters unadorned, speaking in the most intimate of all mediums—James Boswell himself. So definite is the impression of the man Boswell in these two vol-

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umes, so unclouded by the endless comments which this man always aroused, then and now, that we almost forget the labor, the art, the ordering, the wise inclusion, the still wiser omission, which have made us forget all but Boswell. This is not Johnson's Boswell; it is just Boswell.

There seems sometimes a sentimental objection to an edition of the letters of writers whose temperaments appear at variance with such a performance. To me the volatile letters of a Byron or a Shelley have always seemed a little strange with their anchors of learned notes. I do not easily associate a Leigh Hunt with an *ibid.*, or a *sic.* Hence the joy of reading manuscript letters before the scholar has ticketed the human being's hopes and fears! But a pleasant, if minor aspect of these volumes of letters is connected with the fact that Boswell's moods and feelings are still his own, and not merely material for annotation. In brief this is a fair and goodly text. Boswell pours out his laments and joys to Sir William Temple without suddenly muttering *sic* or stabbing us with a printer's dagger. For this, and for other reasons, the book thus fulfils Professor Tinker's wish that it supply the lack of a contemporary biography.

The body of the text includes all the Boswell letters already printed, with the addition of nearly one hundred letters. No one who has not encountered manuscripts with their thousand violations of the rules of spelling and punctuation, knows the problem of making a clear and truthful record of the original without perpetuating absurdities. Let those who cavil at editors consult their own letters more freely. Professor Tinker's solution of his difficulty has been to adopt a definite method based partly on Boswell's procedures in his *Life of Johnson.* The punctuation has been made consistent; and the original spelling has been retained. The problem concerning explanatory notes was not, I should think, easier. The terse footnotes, however, tell us all we need to know, and no more, to comprehend the story of Boswell's life-experience.

The result of the completeness of this collection is surprising. For it is possible that a layman interest in Boswell like mine may be accompanied by mere prejudices about this Scotchman: he was the friend of Johnson; he was the Laird of Auchinleck; he wrote

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often to Sir William Temple, and the like. But in this book such cleavages disappear. Johnson is important, but after his death Boswell is still Boswell. His fragments, scattered through eighteenth and nineteenth century criticism and allusion, are made whole. We find ourselves thinking, as we instinctively go through with him the process of writing these letters, in terms of his own moods. After a time, when he writes to a friend on business we know pretty well how he will feel.

So just as in a friend we look not for chronology but for moods that we know well, we come to perceive these in Boswell; to follow his recurrent feelings, to dwell more and more on repeated interests. It is all very natural. In the early years are those adventures of the passions which fade away in the older, but not, as he hoped, the more tranquil Boswell. It is interesting to watch the reëstablishment of his mind in new situations. As the blood cools, impetuosity finds new channels of expression. Then there are those friendships with Samuel Johnson, and Joshua Reynolds.

Of all these it is impossible, least of all, to forget Boswell on a subject very dear to him, a subject on which he is never boring —himself. Boswell lacked the art of making a romantic picture of himself in which all his faults should serve their hero. He is melancholy, and he laments about it. He is licentious, and he hopes to overcome it, but he confesses that his hopes are strongest in the first fit of repentance. He is gay, and he is glad of it. If he is despicable at times, he is also honest, and does not strive for that virtue of the hypocrite, consistency. He is interested in his own moods, like a child, and he has a child's helplessness about their control. "Am I not fortunate," he writes to Sir William Temple, not more than half-ironical, "in having something about me that interests most people at first sight in my favor?" On this occasion a young widow in the fly at Buckden had supported his lame foot on her knee. Again he says to Sir William: "My life is one of the most romantic that I believe either you or I really know of; and yet I am a very sensible good sort of a man." Once more: "You know," he writes Sir William, "my strange temper and impetuous disposition." What, pray, was Sir William's expression of countenance as he read the letter of February 1, 1867, on Boswell's difficulties with

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his lady? "What," says Boswell, "shall I do?" And many times: "What shall I do?"

In the same fashion we share his moods about his father. Or we trace with interest, with an eye on the moralists, his safe arrival in the port of a happy marriage, despite those early years. If the story of these escapades is amusing, the anguish of the parting from his wife is moving. What attracted people to Boswell were those deep roots of affection in him. His words after the death of Johnson, whose friendship here is beautifully depicted, are wrung from him: "I do not expect to recover from it." Boswell was not one of those unfortunates who have learned on the wrack of the world not to feel. To the last he could still love, and he could still suffer. Perhaps we might have inferred this from the *Life of Johnson*, but Professor Tinker has made it apparent beyond peradventure.

How Professor Tinker could have done it better, I do not see. We wish there had been more than one letter to Goldsmith and more than one to the children, but this is to wish the impossible. If I have been well-disposed, too well-disposed towards this living Boswell, I am sure that it is an error of judgment and not because fifteen years ago I first met him through this scholar, who then became my guide and friend.

STANLEY T. WILLIAMS.

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